# भारत के राजपत्र The Gazette of India

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नाग में भिन्न पूछ संख्या दी जाती है जिससे कि यह भ्रलग संकलन के रूप में रक्षा ता सके। Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II-- बण्ड 3-- उपबण्ड (ii)

PART II-Section 3-Sub-section (ii)

न राज र की खोड़ तर) भार इसरकार के मंत्रालयों और (संव क्षेत्र प्रशासन की खोड़कर) केंग्डीय प्रायिकरणों द्वारा जारी किये गए विविक झादेश और अधिस्चनाएं।

ory orders and notifications issued by the Ministries of the Governent of India (other than the Ministry of Defence) and by Central uhorities (other than the Administration of Union Territories).

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(Department of Labour and Employment)

New Delhi, the 22nd March 1971

1428.—Whereas, a vacancy has occurred in the office of the Presiding of the Labour Court at Hyderabad, constituted by notification No. S.O. ed the 5th February, 1963 of the Government of India in the late Ministabour and Employment;

therefore in exercise of the powers conferred by section 8 of the In-Disputes Act. 1947 (14 of 1947) the Central Government hereby appoints druddin Siddiqui as Presiding Officer of the Labour Court constituted as

### अम, रोजगार ग्रीए यनव सि मंत्रालय

(धम ग्रंप रोजगार विभाग)

PP 614

नई दिल्ली, 22 मार्च, 1971

का । 1428.—यतः भारत सरकार के भूतपूर्व श्रम भीर रोजगार में रालय की मधिसू सं का । भा > 456 तारीख 5 फरवरी, 1963 द्वारा गठित हैदराबाद स्थित श्रम न्यायाल पीठामीन मधिकारी का गद रिक्त हो गया है.

मतः, मन, भ नौगिक विवाद म्रधिनियम, 1947 (1947 का १४) को धारा 8 प्रदक्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा श्री वदरुद्दीन सिद्दिकी को पूर्वोक्त में गढ़ित कर कार्यक्र का पीठासीन मधिकारी नियक्त करती है।

[सं • फा • 1/52/70-एल मार

एस० एस० सहस्रनमन, भवर सचि।

21-12-74 CALCUTT A

(Department of Labour and Employment)

New Delhi, the 22nd March 1971

S.O. 1429.—In pursuance of Section 17 of the Industrial Disputes Act. 15 (14 of 1947), the Central Government hereby publishes the following award of a Central Government Industrial Tribunal Dhanbad, in the industrial disputation ween the employers in relation to the Calcutta Port Commissioners, Calcutta their workmen, which was received by the Central Government on the 6th 1971

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBA

In the matter of a reference under section 10(1)(d) of the Industrial Dispu Act, 1947.

REFERENCE No. 36 of 1968

PARTIES:

Employers in relation to the Calcutta Port Commissioners, Calcutta

AND

Their Workmen

PRESENT:

Shri A. C. Sen, Presiding Officer.

APPEARANCES:

On behalf of the Employers-Shri G. V., Karlekar, Chief Labour Office:

On behalf of the Calcutta Port and Dock Workers Union—Shri Prasanta Kumar Dutta, General Secretary.

On behalf of the Calcutta Port Shramik Union—Shri Syam Chakra orti.
- Advocate and Secretary.

On behalf of the National Union of Waterfront Workers-None.

STATE: West Bengal

INDUSTRY: Dock/Port

Dhanbad, dated the 27th February 1871

#### AWARD

An industrial dispute between the parties mentioned above, namely, the employers in relation to the Calcutta Port Commissioners, Calcutta and their work, men was referred to this Tribunal by the Centrals Government by its Order

(108)/67-LRIII dated 20th April, 1968. The nature of the dispute appears be schedule to the said order, which runs as follows:

#### SCHEDULE

Whether the demand of the workmen for the inclusion of certain additional categories of workers in the Incentive Tonnage Scheme is justified? If so, which additional specific categories should be so included; on what basis of performance should incentive allowance be paid to them and what should be the rate of such incentive allowance payments."

The cargo handling operations in the Port of Calcutta are done by the semployed in the Traffic Department of the Commissioners, commonly whore workers, who are categorised as 'A', 'B' and 'C' category workers, 'A' workers are permanent employees of the Commissioners, 'B' and 'C category workers are casual employees. Here we are concerned only with A' category

'A' category workers are on a scale of pay of Rs. 70—EB—2—89 and ever they are employed on piece-rated work at the Dockstties for handling they are governed by what is known as the Resident entire Piece Rate

The background of the evolution of the Revised Incentive Piece Rate Scheme, as follows:

I March 1957, the Government of India, in the Ministry of Labour consti-a Committee for the purpose of evolving a Piece-rate Scheme for Calcutta Workers on the model of and in the light of the principles contained in the m of the Labour Appellate Tribunal dated the 1st February 1956 in the ay Dock Labour Appeals, subject to such changes as may be deemed in Assart. ay Dock Labour Appeals, subject to such changes as may be deemed necessary. iece-Rate Committee made its report to the Government of India in August and that report was duly considered by the Government after objections had received to it from Dock Labour. Subsequently in March 1958, the Government after objections had received to it from Dock Labour. Subsequently in March 1958, the Government and in March 1958, the Government and India for the pururther examining the said report and to make such recommendations to central Government as it might consider suitable. This Committee was also drivers of the Calcutta Port. The Committee submitted its report in August. The report together with the Appendices constituted the recommendations e Committee. The Committee evolved Scheme for Piece-rate payments—(i) cargo Dock Shore Hook Gangs, Coal Dock Shore gangs and Trimmers; (ii) m Scheme for piece-rate payment to cranemen; (iii) for Piece-rate payment to edore gang workers and winchmen; and (iv) for Tally. The Scheme, however, not be introduced as it was not accepted by Stevedore labour and for variother reasons. other reasons.

b) At the relevant time the scheme of payment existing was the one that introduced in 1948 on the termination of Messrs. Bird and Co.'s contract of ar which incorporated the principles of pay-cum-piecerates.

With the increase in earnings of labour in the Ports of Bombay and Madras result of the introduction of the Piece-Rate Schemes and due to the impediresult of the introduction of the Piece-Rate Schemes and due to the impedingly and objections to the introduction of the Piece-Rate Schemes formulated the Review Committee to the detriment and loss of workers, the Commissioners' or fabour became restive due to the difference in wages between themselves d their counterparts in Bombay and Madras and more so, because of the commitant regarding introduction of the Piece-rate scheme in Calcutta made by the wernment of India, Ministry of Transport and Communications, Department of any port under Resolution dated 20th July, 1956 on the strike settlement in 1958.

(d) This scheme was adopted by the Commissioners under their Resolution 589 dated 22nd May, 1961. This Scheme was to be implemented with effect in 15th June, 1961. But as a result of the initiative taken by the National Union Port Trust Employees, the Labour Minister, Government of India called a joint eding at Delhi on 19th June, 1961 to discuss the proposed Scheme. At the request the Minister of Shipping, the Calcutta Port Shramik Union took agreed to the assumentation of the Scheme being postponed. At the meeting presided over by alabour Minister and attended by the Minister of Shipping and the representation the Commissioners and those of the Calcutta Port Shramik Union and the

National Union of Port Trust Employees, the following agreements were arrived at:

- (i) It was agreed that the Incentive Scheme for Calcutta Port Shore Worker should be introduced.
- (ii) For the improvement of the Incentive Tonnage Scheme, the union and the Port Authorities agreed to sit in conference upto a week in Calcutt to effect such suitable changes in the present scheme as may be agreed to. A Labour Ministry representative would preside over the Conference.
- (iii) Whatever was settled would be implemented retrospectively from the 15th June, 1961.
- (iv) In case of disagreement, the matter would be referred to the Labour Minister and the Minister of Shipping for final settlement.
- (e) The parties accordingly met at Calcutta during June/July 1961 under the Chairmanship of the Chief Labour Commissioner. It was then agreed that the Scheme as approved by the Calcutta Port Commissioners would be amended. The amended Scheme known as the Incentive Tonnage Scheme 1961 was implemented with effect from 22rd September, 1961. The Scheme was applicable only to particular categories of the Port employees.
- (f) The Government of India, Ministry of Transport and Communication is agreement with the workers unions appointed a Committee in August 1958, known as Classification and Categorisation Committee to undertake the work of classification and categorisation of class III and class IV posts of major ports.
- (g) The Classification and Categorisation Committee submitted its unanime, report to the Government in May 1961. It recommended inter alia that the Portion (Departmental) of Calcutta should be fitted in the same scale of pay as the Portion (Departmental), knowing full well that a piece-rate wage cannot be fitted into a monthly time scale. It was encouraged to make the above recommendations by the fact that there had been a practice to utilise a monthly scale for the ascertainment of Provident Fund benefits, leave pay and gratuity of the piece-rates.
- (h) In view of the recommendations of the said Committee and also because the review of the Incentive Tonnage Scheme, 1961 became due, the Commissioners for the Port of Calcutta appointed a Committee, composed of the representatives of the Commissioners as well as the representatives of the two unions, namely Calcutta Port Shramik Union and the National Union of Port Trust Employees with the following terms of reference:
  - (i) To consider the question of recasting of tonnage rates of the piece-rates shore workers of cargo Docks and coal Docks in the light of the recent revision of the pay scale of the departmental porters and to make suitable recommendations in this regard.
  - In making its recommendations the Committee shall take into consideration such consequential changes in the prevailing piece rate scheme as may be deemed necessary.
  - (ii) To review the Tonnage Incentive Scheme in the light of the experience of its working having regard to the proceedings of the Commissioners' meeting dated the 23rd September, 1961 and the Government orders referred to therein.
  - (iii) The Committee shall complete its work as expeditiously as possible.
- (1) The Committee submitted a unanimous report and evolved a scheme of payment to shore workers and others. The Committee's recommendations were accepted by the Commissioners and the "Revised Incentive Piece-Rate Scheme, 1964' as formulated by the Committee, came into operation with effect from February 1964. The Revised Incentive Piece-Rate Scheme 1964 is applicable only to the following categories of workers:
  - (i) 'A' category piece-rated workers of cargo Dock, Coal Docks, Kantapukur and Tea Ware House.
  - (ii) Departmental porters and Muster Gang Porters.
  - (iii) Coal Dock Trimmings.
  - (iv) 'B' category workers.
  - (v) 'C' category workers.
  - (vi) Crane Drivers operating Shore Cranes, Yard cranes, Roof cranes and cranes of Heavy Lift Yards and subsidiary Heavy Lift Yards together

- with their authorised reliefs, when concerned with shipment or nonshipment cargo-handling work.
- (vii) Crane Drivers operating the granes of K.P.D. Berths No. 19 and 20, Berth and Chute Khalasis of K.P.D. Berths Nos. 19 and 20 together with their authorised reliefs when concerned with the shipment of coal.
- 5. The Calcutta Port Shramik Union, a party to the Revised Incentive Piece-5. The Calcutta Port Shramik Union, a party to the Revised Incentive Piecerate Scheme, 1964, in their charter of demands under their strike notice dated the 9th December, 1964 included the following demand: "The Mobile Crane, Forklift and Tractor Drivers, Lift Drivers, staff attached to the Mechanical Coal Lifting Plant, Cargo Tindals, Serangs, Leading Hands, Crane Tindals and Head Crane Tindals, Crane Drivers of 200-ton Crane and their signalmen and crew of P. C. Lighters be included in the Incentive Tonnage Scheme". A memorandum of settlement dated 28th December 1964 was arrived at with the said union in the following terms: terms:
  - "It is agreed that the Commissioners will set up a joint Committee to examine whether the categories of workers mentioned in the demand in-Scheme and if so, in what manner. If no settlement is reached within six weeks or such other period as may be mutually agreed upon, the issue will be referred to a Tribunal under section 10(2) of the Industrial Disputes Act, 1947
- 6. Accordingly a joint Committee consisting of the representatives of the Calcutta Port Shramik Union and the National Union of Port Trust Employees and the Commissioners was appointed in January, 1965. The duty of the joint Committee was to examine whether the following categories of workers could be included in the Incentive Tonnage Scheme. 1964:
  - (1) Mobile Crane Drivers, (2) Forklift Drivers, (3) Tractor Drivers, (4) Lift Drivers, (5) Staff attached to the Mechanical Loading Plant, (6) Carge Tindals, Serangs, Leading Hands, (7) Crane Tindals, Head Crane Tindals, (8) Crane Drivers of 200 Ton Crane and the Signalman, (9) Crews of the P. C. Lighters.
- 7. The Committee began its sittings with effect from 22nd January, 1965. The Committee met on a number of occasions and final meetings of the committee were held on 23rd August, 1966 and 26th August, 1966. The representatives of both the unions, namely, The Calcutta Port Shramik Unon and the National Union of Port Trust Employees submitted their opinions in writing on June 29, 1966 and on April 17, 1965 respectively. The opinion of the representatives of the Administration too was submitted in writing tration too was submitted in writing.
- 8. During the course of discussions on 26th August, 1966, the representatives of the Calcutta Port Shramik Union orally submitted that the nature of the duties performed by the categories in question excepting the staff attached to the Mechaninal Coal Loading Plant (18th Berth) and that of the categories already included in the Revised Incentive Piece-Rate Scheme 1964, being the same, all the categories under consideration by the committee should be included in the Revised Incentive Piece-Rate Scheme 1964. The representative of the National Union of Port Trust Employees too supported the view of the other union.
- 9. The views of the representatives of the Commissioners for the Port of Calcutta 9. The views of the representatives of the Commissioners for the Port of Calcutta were submitted in writing on the 26th August, 1966. They pointed out that the incentive Tonnage Scheme of 1961 was introduced after it had been fully discussed t all levels by the representatives of the Port Administration and the representatives of the two recognised unions, that the categories of workers to be included the Incentive Tonnage Scheme were also determined at that time and that specific degories were taken into consideration for the purpose of the said Scheme. Ley arther pointed out that the 1961 Scheme was reviewed as agreed upon, by a minimize consisting of the representatives of the Administration and those of the for recognised unions. They were opposed to the inclusion of the additional categories union based on the experience of the working of the 1964 Scheme, the incentive remuneration of the proposed categories would have no co-relation with the re-replaced on the experience of the working of the 1904 Scheme, the incentive remuneration of the proposed categories would have no co-relation with the t-put. They thought that the non-inclusion of these additional categories in the seme of 1964 could not be regarded as discriminatory because the determination the categories brought into the Revised Incentive Piece-Rate Scheme 1964 was to jointly by the representatives of the Administration and the two recognised bas. They were definitely of opinion that if all or any of the categories under sideration were at all to be brought into the Scheme of 1964 or any other scheme, whole matter would have to be discussed de-novo and that a fresh incentive

scheme would have to be formulated ensuring that remuneration to all the categories of workers to be brought within the Scheme was directly linked with their out-put.

- 10. As the representatives of the Administration would not agree to the suggestions made by the representatives of both the unions no settlement was arrived at. The dispute has now been referred to this Tribunal by the Central Government under section 10(1) of the Industrial Disputes Act. It may be noted that the dispute has not been referred under sect.10(2) of the Act, even though there was an agreement to that effect between the parties in th memorandum of settlement dated 28th December, 1964.
- 11. The Government of India, in the Ministry of Labour and Employment constituted the Central Wage Board for Port and Dock Workers at Major Ports, by their Resolution No. WB-21(4)/64, dated the 13th November, 1964. The Wage Board finalised all its recommendations in October, 1969 and the report was signed by the Chairman and the members of the Board on 29th November, 1969.
- 12. My predecessor-in-office, Sri K. Sahai, by his order dated 18th September. 1969 passed at Calcutta adjourned sine die the final hearing of the case, as it appeared to him that the entire question relating to Port and Dock workers had been referred to the Wage Board for laying down pay scale etc., and as it was represented to him that the Wage Board was by that time almost coming to the end of its labours. The parties too felt that this reference might not be finally decided at that stage and that the final hearing might be adjourned sine die. The concluding portion of the order passed on 18th September, 1969 runs as follows: "Shri Prasanta Kumar Dutta (General Secretary, Calcutta Port and Dock Workers Union), however, says that before the reference is adjourned, it may be recorded that the employers agree to the inclusion of five categories of workmen in incentive piece-rate scheme that may be operative in the port on the shore side after the finalisation of the report of the Wage Board. These categories are (1) Mobile Crane Drivers, (2) Fork Lift Drivers, (3) Tractor Drivers, (4) Pay Loader operator and (5) Diesel Loco Driver (Two Car Drivers) at King George's Dock. Sree Farlekar (Chief Labour Officer) agrees that this may be recorded as having been agreed to by the employers. Let it be accordingly recorded. The case is now adjourned sine die".
- 13. The first question for determination is whether the demand of the workmen for the inclusion of certain additional categories of workers in the Incentive Tonnage Scheme is justified. Having regard to the genesis of the present dispute, there cannot be any manner of doubt that the 'Incentive Tonnage Scheme' in the present reference means the "Revised Incentive Piece-Rate Scheme, 1964", which replaced the Incentive Tonnage Scheme, 1961 and the expression "certain additional categories" relate to the categories mentioned in the charter of demands submitted by the Calcutta Port Shramik Union along with their strike notice dated the 9th December, 1964 and considered by the joint committee appointed in January, 1965, that is to say, the categories mentioned in para 6 above.
- 14. Para 35 of the Revised Incentive Piece-Rate Scheme, 1934 provides for payment of incentive allowance to crane Drivers and their reliefs subject to certain conditions. The provision of the said paragraph is as follows: "Crane Drivers together with their authorised reliefs when they operate for a shift or any part of a shift:
  - (a) Shore Cranes.
  - (b) Yard Cranes.
  - (c) Roof Cranes, and
  - (d) Crane at Heavy Lift Yards and Subsidiary Heavy Lift Yards shall be entitled to an incentive allowance of Re. 1/- per shift provided no adverse reports are received against their work, whenever their cranes are employed for:
    - (1) Loading/Unloading cargo from/into vessels.
    - (2) Loading/Unloading cargo from/into Lighters.
    - (3) Loading/Unloading cargo from/into wagons, carts and lorries and (4) Shifting or re-stacking of cargo."

It was argued on behalf of the Calcutta Port Shramik Union that as the Mobile Grane Drivers, Fork Lift Drivers, Crane Drivers of 200 Ton Cranes and the Signalmen were also required to carry the (i) loading/unloading cargo from/into lighters, (ii) loading/unloading cargo from/into wagons, carts and lorries and (iv) for shifting or restacking of cargo, these categories of workers should also be included in the Incentive Piece-Rate Scherpe. The

representatives of the Administration did not refute the facts on which the said argument was based, they simply made a bare statement to the following effect: "We are difinitely of the opinion that all or any of the marginally noted categories of workers cannot be brought within the purview of the Revised Incentive Piece-Rate Scheme, 1964 as their incentive remuneration will not have any co-relation with the output." They did not offer any reason in support of their opinion, nor did they say that the nature of work performed by the Mobile Crane Drivers, Fork Lift Drivers, Crane Drivers of 200 Ton Cranes and the Signalmen was not similar to the work performed by the Crane Drivers mentioned in para 35 of the Scheme of 1964.

15. It has been provided in part IV, paragraph 33 of the Revised Incentive Piece-Rate Scheme, 1964 that the Trimming Foreman will be entitled to an incentive silowance of Re. 1/- per shift provided no adverse report is received against their work. It was pointed out by the representative of the Calcutta Port Shramik Union it the sittings of the joint committee that the duty of the Trimming Foreman is to supervise the work of the Trimming Porters, Mates and Sirdars on board the vessels. He contended that when the Crane Tindais and Head Crane Tladals, supervise the work of the crane Drivers it was only fair and just that they should also be includid within the purview of the existing Revised Incentive Piece-Rate Scheme. Similarly, he further contended, as the cargo Serangs/Tindals and Leading Hands, who supervise the works of the 'A', 'B', 'C' and Departmental labour, play a very important role in the matter of quicker turn round of ships and loading and unloading if wagons, they should also be included in the Incentive Tonnage Scheme.

No attempt was made by the Port Administration to meet this contention on behalf of the Calcutta Port Shramik Union, nor did they say that the work performed by the Carne Tindals and Head Crane Tindals was not similar to work performed by the Trimming Foreman.

- 16. In the Incentive Piece-Rate Scheme of 1964 it has been provided that the Departmental Porters and Muster gang porters when employed (a) at Heavy Lift Yards and subsidiary Heavy Lift Yards, (b) at Shed Yards for handling Heavy Lift and/or yard cargo and/or work connected with such handling (i.e. bedding, lashing, dunnaging etc.) and (c) for operational cargo handling work at places other than Heavy Lift Yards, subsidiary Heavy Lift Yards and shed yards shall be entitled to an incentive allowance of Re. 1/-. It was contended on behalf of the Calcutta Port Shramik Union that as the crews of the Port Commissioner Lighters also work at the Heavy Lift Yards and also carry on the handling work of Heavy Lift packages Inside the P. C. Lighters in a manner as it is handled on shore by the Departmental porters, the crews of the P. C. Lighters should also be included in the Incentive Pièce Rate Scheme. This contention too was not met by the Port Administration, nor did they deny that the crews of the P. C. Lighters are required to do work similar to the work done by the Departmental Porters and Muster gang porters for which they are paid incentive allowance.
- 17. It was also pointed out by the Calcutta Port Shramik Union that all the nembers of the Committee were of the unanimous opinion about the inclusion of the staff attached to the Mechanical Coal Loading Plant; and this was not denied on pehalf of the Port Administration.
- 18. For further details as to the matters stated in paras 14 to 17 above reference hay be made to Ext. M5. It is clear that the workers made out a clear case for acting inclusion of additional categories of workers in the Incentive Tonnage or Piece-tate Scheme of 1964. The Administration refused to acceed to the demand of the orkers on two grounds: (1) that the incentive remuneration of the additional tegories would not have any co-relation with the output; (2) that if additional tegories were to be brought into the existing incentive scheme of 1964, it would necessary to formulate a fresh incentive scheme ensuring that remuneration to the categories of workers to be brought within the new Scheme was directly ked with their output. These two grounds for opposing the demand of the workers the inclusion of additional categories do not appear to be very convincing. As the first ground, nothing has been said as to why the incentive remuneration of proposed additional categories will have no co-relation with the out put. The ly thing to be seen is whether out put is likely to increase if incentive allowance given to the additional categories. The Administration did not say that out put is not likely to increase as a result of the inclusion of the additional categories. My opinion, out put is likely to increase if incentive allowance is given to the oposed additional categories or at least to some of them. I shall presently dissipance Piece-Ratio Scheme of 1964.

s to the second ground, the Administration practically concede that the proposadditional categories can be brought within the purview of a comprehensive Incentive Piece Rate Scheme. It is needless to point out that in the case of supervisory staff it is not always possible to link the remuneration directly with their cut put; some rule of the thumb becomes necessary. But that is no reason for not giving incentive allowance to them.

- 19. As stated above in para 12, the employers through their Chief Labour Officer Sri Karlekar, agreed to the inclusion of five categories of workmen in the incentive piece-rate scheme that might be operative in the port on the shore side after the finalisation of the report of the Wage Board. The employers would not have made that concession unless they felt that these five categories mentioned in para 12 were capable of being included in the existing Incentive Piece-Rate Scheme of 1964. As stated in para 11, the Wage Board finalised all its recommendations in October 1969. I shall presently show that the Wage Board has recommended the inclusion of seven additional categories in the Incentive Piece-Rate Scheme, 1964. Mr. Karlekar on behalf of the Administration has reiterated before me the views expressed by the representatives of the Commissioners for the Port of Calcutta in the Committee appointed in January 1965. I have already given my reason for not accepting those views. Therefore, in spite of Mr. Karlekar's submissions before me I have not the slightest doubt in my mind that the demand of the workers for the inclusion of additional categories in the Incentive Tonnage Scheme or for the matter of that, in the Revised Incentive Piece-Rate Scheme, 1964 is fully justified.
- 20. The next question to be considered is which additional specific categories should be included in the Revised Incentive Piece-Rate Scheme 1964. The Central Wage Board for Port and Dock Workers at Major Ports thinks that the following additional categories of workmen should be included in the Revised Incentive Piece rate Scheme, 1964:
  - (a) Mobile Crane Drivers.
  - (b) Tractor Drivers.
  - (c) Forklift drivers.
  - (d) Pay loader drivers at 5 King George's Dock.
  - (e) Diesel loco drivers (low car drivers) at 5 K.G.D.
  - (f) Cargo tindels/serangs and leading hands (except on the days on which they are engaged to work connected with non-operational work).
  - (g) Crane tindels and signalmen of 200 ton cranes at 5 K.G.D.
- 21. The Calcutta Port and Dock Workers' Union in its written statement he asked for the inclusion of thirteen additiona; categories of workmen including the categories mentioned in para 20. The seven categories mentioned in para 20 includes the five categories, that the employers agreed to include when the hearing of the case was adjourned sine die on 18th September, 1969. In my opinion the severategories mentioned in para 20 should in any case be included in the Revision Incentive Piece-Rate Scheme, 1964.
- 22. Mr. Dutta, appearing on behalf of the Calcutta Port and Dock Works Union, pressed for the inclusion of the following categories also:
  - (i) Sorters.
  - (ii) Supercargoes.
  - (iii) Mobile Crane Khalasis.
  - (iv) Truck Drivers.
  - (v) Mobile Crane Tindels.
  - (vi) Shed Clerks.
  - (vii) Tally Supervisor.

These additional categories have not been included by the Central Wage Bo for Port and Dock Workers at Major Ports. At the time of the hearing Mr. Disubmitted a statement showing the duties performed by these categories. Karlekar did not raise any objection as to the contents of the statement; raise accepted them as correct. The statement was marked as Ext. W1 by consent

23. I propose to consider the respective duties of the additional categor mentioned in para 22 as stated in Ext. W1 to see which of them can be broth within the purview of the incentive scheme. I start with the sorter. His dut to work in conjunction with the Shed checkers for the correct shipment of excargo to point out lots of ready cargo to labour for shipment as and when conjunction with the Shed checkers for the correct shipment of excargo to point out lots of ready cargo to labour for shipment as and when conjunction by the ship and to refer to the shipping list for the purpose to confident mark detained lots of cargo not ready for shipment so that they may not removed by labour and shipped wrongly on board to make due remarks on all of the correct shipment.

- ist as soon as each lot is shipped and to deposit the lists in proper place for juidance of his relief in the next shift. He himself does not handle the cargo, nor does he supervise those who actually handle the cargo. Slackness on his part will amount to a dereliction of duty. He certainly cannot claim incentive bonus in order to induce him to perform his duties properly. In my opinion sorters cannot be included in the incentive scheme, having regard to the duties that they perform at present.
- 24. A supercargo is required to perform various duties. He takes muster of labour and checks the attendance of other staff under him and distributes them according to requirements and supervises their works. He is to go on board vessels to ascertain the hatch position for correct distribution of labour. He checks the icading, unloading and stacking operations and is responsible to ensure that labour bandle cargo carefully. He sees that work starts in time and goes on smoothly and that there is no early stoppage of work. He has other duties to perform which are not very material for our purpose. His function is supervisory in nature and his co-operation appears to be vital to the maximisation of output. Hence, in my, opinion, Supercargo should be included in the Revised Incentive Piece-Rate Scheme, 1964.
- 25. The Mobile crane khalasis mostly perform unskilled work. Their duty is to do manual work such as carrying, loading, lifting, cleaning, handling etc., of all types of materials, tools, equipments etc., and to do all other unskilled work. They do not load or unload cargo, nor do they supervise the workers engaged in loading and unloading. In my opinion, they cannot claim to be included in the incentive scheme.
- 26. The truck drivers too cannot claim to be included in the incentive scheme-from Ext. W1 it is difficult to get any idea as to the actual duties of a truck driver under the heading "Duties of the Truck Driver". Ext. W1 merely enumerates the qualifications of a truck driver. No case has been made out for his inclusion in the incentive scheme.
- 27. A mobile crane tindel is responsible for operational work of all mobile cranes and mobile equipments, like fork lifts, tractors etc. Slackness on his part may impede the progress of mobile crane drivers, tractor drivers and fork lift drivers. An incentive allowance is likely to make him alert. Hence I think that mobile crane tindels should be included in the incentive scheme, especially when the Central Wage Board for Port and Dock Workers has recommended the inclusion of crane tindels of 200 ton cranes in the Scheme.
- 28. Duties of the Sheds Clerks, as given in Ext. W1, are of a routine nature. They do not supervise the workmen engaged in actual loading and unloading. Hence they too cannot claim to be included in the incentive scheme. They are to be excluded for the same reason for which the sorters are to be excluded.
- 29. As to the tally supervisors, the duties, which according to Ext. W1, they are required to perform do not entitle them to be included in the incentive scheme.
- 30. Hence, my conclusion is, that out of the seven categories mentioned in Ext. W1, only the two categories, namely, super-cargoes and mobile crane tindels can claim to be included in the incentive scheme. Mr. Syam Chakravorty on behalf of the Calcutta Port Shramik Union contended that the Incentive Scheme should be extended to the 200 ton Crane Drivers. There is nothing on record to indicate the nature of their work. Moreover, they appear to hold a responsible position which does not call for incentive allowance. I, therefore, think that they are not entitled to incentive allowance.
- 31. As to the basis of performance on which incentive allowance is to be paid is that no adverse report is received against the additional categories suggested by me.
- 32. As to the rate of such incentive allowance, all the additional categories to be included in the Scheme of 1964 will be paid incentive allowance at Re. 1/- per shift. But this shall not preclude them from claiming any additional benefit to which they may be entitled as per recommendations made by the Central Wage Board for Port and Dock Workers at major ports if and when such recommendations are implemented by the Commissioners for the Port of Calcutta.
- 33. The incentive rate of Re. 1/- per shift will be payable from 20th April, 1968, that is to say from the date when the dispute was referred to this Tribunal, According to the workmen, the incentive allowance should be paid with retrospective effect from 10th February, 1964. Their case is that they have been agitating for the inclusion of additional categories since the implementation of the Revised Incentive Place-rate Scheme. 1964, that is to say since 10th February, 1964, hence

the categories to be included under this award should get incentive allowance from that date. But factually the position is some what different. Two unions, namely, the Calcutta Port Shramik Union and the National Union of Port Trust Employees were parties to the Incentive Scheme of 1964. Their members in the categories to be included certainly cannot claim incentive allowance from 10th February, 1964. It transpires from Ext. W2 that the Calcutta Port and Dock Workers Union, which is at present claiming incentive allowance for the categories to be added from 10th February, 1964, raised the dispute in their letter No. PDU/63/66 dated 28th May, 1966 to the Regional Labour Commissioner, Calcutta. There is nothing on record to show that this union raised this dispute earlier. Its members led a mass deputation to the C.M.E., Calcutta Port Commissioners on 27th May, 1967 and submitted a memorandum. That being the position, even the members of this union belonging to the categories to be added cannot claim incentive allowance from 10th February, 1964. Again, to give retrospective effect may result in re-opening of closed accounts; and may also impose additional financial liability on the Port Administration. My recommendation is in a way retrospective, though not to the extent desired by the workers, because I have said that the incentive allowance will be payable from 20th April, 1968. I have tried to minimise the scope for the reopening of closed accounts and the imposition of additional financial burden on the Port Administration.

- 34. I accordingly give the following award. The following categories of workers are to be included in the Revised Incentive Piece-Rate Scheme, 1964:—
  - (a) Mobile Crane Drivers.
  - (b) Tratcor Drivers.
  - (c) Forklift Drivers.
  - (d) Payloader Drivers at 5 King George's Dock.
  - (e) Diesel Loco Drivers (Tow Car Drivers) at 5 K.G.D.
  - (f) Cargo Tindels/Serangs and Leading Hands (except on the days on which they are engaged to work connected with non-operation work).
  - (g) Crane Tindels and Signaimen of 200 Ton Cranes at 5 K.G.D.
  - (h) Supercargos.
  - (i) Mobile Crane Tindels.

These additional categories (a) to (i) will be paid incentive allowance at Re. 1/per shift, provided no adverse report is received against them. But this shall not preclude them from claiming any additional benefit to which they may be entitled as per recommendations made by the Central Wage Board for Port and Dock Workers at Major Ports if and when such recommendations are implemented by the Port Administration. The incentive rate of Re. 1/- per shift will be payable from 20th April, 1968. As the success is divided between the parties they shall bear their respective costs.

35. This is my award. Let a copy of the award be submitted to the Central Government under section 15 of the Industrial Disputes Act, 1947.

(Sd.) A. C. SEN,

Presiding Officer.

[No. 28/108/67-LR.III/P&D.]

S.O. 1430.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of Shri L. P. Dave, Arbitrator, in the industrial dispute between the employers in relation to the management of the Calcutta Port Commissioners, Calcutta and their workmen, which was received by the Central Government on the 4th March, 1971

### BEFORE SHRI L. P. DAVE, ARBITRATOR

In the matter of reference under section 10A of the Industrial Disputes Act. 1947, in respect of an industrial dispute between employers in relation to the Calcutta Port Trust Commissioners, Calcutta, and their workmen represented by the Calcutta Port Shramik Union, Calcutta.

APPEARANCES:

On behalf of Employers—Shri G. V. Karlekar, Labour Adviser and Indusirial Relations Officer, Calcutta Port Commissioners, Calcutta. On behalf of Workman—Shri Makhan Chatterji, General Secretars. Port Shramik Union, Calcutta.

#### AWARD

As an industrial dispute existed between the above parties, they entered into an agreement under sub-section (1) of section 10A of the Industrial Disputes Act, agreeing to refer the said dispute to my arbitration and forwarded a copy of the said agreement to the Central Government as required by sub-section (3) of the above section. The Central Government published it in the official gazette under the said sub-section.

- 2. The specific matters in dispute referred to me were as under:
  - Whether there is any anomaly in the pay structure of Trimming porters, trimming mates, Trimming Sirdars and trimming foremen as evolved by the Central Wage Board for Port and Dock Workers?
  - If so, how should it be removed and from what date?
- 3. In responce to the notices issued by me, the parties filed their Written Statements. The matter was then fixed for hearing and was heard from 3rd February to 5th February 1971. At the hearing, neither party led oral evidence; but both parties filed some documents. Arguments were then heard and I now proceed to give my Award in the matter.
- 4. The present dispute relates to the pay structure of trimming porters, trimming mates, trimming Sirdars and trimming foremen working in the port of Calcutta. These workers are employed in operation which is known as trimming of coal. Calcutta Port deals with a large amount of coal cargo. This port being nearest to the coal producing areas of Jharia and Raniganj coal fields, coal is sent out from Calcutta by ships. Coal has to be loaded in holds of ships which work is done mainly by mechanical process. The coal is dumped or emptied in the holds. This, however, does not complete the operation, because the coal dumped or thrown in the holds forms a heap; it has then to be trimmed with the aid of shovels, so that it is distributed evenly inside the holds. If this is not done, large portions of holds would remain empty. Again when the ship moves in the sea, unless the coal is properly distributed and trimmed, it may by force of gravity move from one side to other making it dangerous to the ship as the weight would then be shifted from one side to the other. The workers who carry cut the operation are known as trimmers. There are other categories of mates, Sirdars and foremen who look after the trimming work.
- 5. It may be noted at the outset that as trimming work is done inside the ship, it is really speaking stevedoring work. A "stevedore" is refined in the dictionary of Nautical words and terms by C. W. T. Layton as a man who stows or unloads cargo in a hold, stowing defined as packing compactly and safely. Trimming is defined as adjusting and applied to cargo, it denotes placing it in its proper position and, if necessary, winging it out. Applied to a vessel, it denotes placing and arranging cargo, so that there is a desired—relationship between the forward and after droughts.
- 6. It may also be noted that in the case of iron ore loading, the work is done in similar manner. In both cases, trimming is required to be done. The workers engaged in iron ore loading are stevedores workers. Coal trimmers are, in effect, doing the same work as iron ore workers and the work is really speaking stevedoring work.
- 7. In this connection, I may refer to clause (ii) of para 3.80 of the report of the Central Wage Board for the Port and Dock workers where stevedoring and other services are defined. It is mentioned there that coal stevedoring work is done at Calcutta by the port authorities.
- 8. As this work is stevedoring work, it should ordinarily be done by stevedore labour. Due to historical grounds, however, this work is done in Calcutta Pert, not by stevedore labour, but by workers employed by the Calcutta Port.
- 9. Prior to 1st April, 1948, the coal trimming work was carried out by the port commissioners through a contractor. The Commissioners decided to discontinue the work of trimming coal from 1st April, 1948 as it was not part of their statutory responsibility and terminated the contract. Thereupon the Risamer agents and shippers appointed another contractor to undertake this work. A subcommittee was appointed to consider the question of coal trimming in general and to ascertain if it was possible to form a coal trimming board. The subcommittee found this to be unpracticable. The standard of work done by new contractor was also found to be not satisfactory. The sub-committee felt that no contractor would be able to discharge this work satisfactorily and it thereupon requisited the Commissioners to undertake the trimming work although it was not their

statutory obligation. By a resolution dated 18th September, 1950, the Commissioners decided to take over the work from 1st January, 1951. The persons then working with the contractors were taken over by the Commissioners and it was decided that their remuneration should not be adversely affected. It was also decided that trimming porters and trimming mates should get a trimming pay of Rs. 5/- per month and that the trimming Sirdars should get a similar pay of Rs. 7.8.0 per month and that this trimming pay should be considered to be pay for all purposes.

- 10. The above facts are admitted by both the sides and are also clear from the copies of minutes of different meetings held in this connection and produced by the employers as annexures (2) to (6) to their rejoinder.
- 11. The workmen's case is that trimming work is hazardous and strenuous and that it has to be done in difficult conditions. It is further contended that they are entitled to higher remuneration than shore workers and that is why the trimming pay was given to them. It was further urged that the total emoluments or trimmers were always higher than the total emoluments of shore workers, but now they are lower and that is an anomaly which should be corrected by awarding them a higher trimming pay.
- 12. There can be no doubt that the work of the trimmers is both hazardous and strenuous. This was recognized by the Chairman of the Coal Port Commissioners as early as 1951 as can be seen from annexure (6) to the rejoinder of employers. The Central Government Industrial Tribunal, Calcutta, has also, in its award in reference No. 28 of 1965 accepted this position and has held that the coal trimmer's work is strenuous and hazardous and that he has to work in difficult working conditions. The Central Wage Board for Port and Dock workers has observed that for various reasons including the nature and place of the work, the dock workers have been getting higher wages than the shore workers (see page 7.292 of the report). It also unanimously decided that even in future a suitable differential between the wages of cargo handling workers on shore and those on board the ship should be maintained.
- 13. (a) So far as basic pay is concerned, the basic pay of a shore worker and the basic pay of a coal trimmer has all along remained the same. When the trimmers employed by the contractor were taken over by the Port Commissioners as their workers, they were placed in the scale of  $30-\frac{1}{2}-35$ , though, to protect the employed of the existing workers, their basic pay was fixed at Rs. 35/. The basic pay of shore workers then was Rs. 30/-.
- (b) From 1st October, 1957, the scales fixed by the classification and categorisation Committee (known as CCC scales) were introduced. Both the trimmers and shore workers were then put in the scale of 30—1—40,
- (c) The C.C.C. scales were converted into new scales based on the recommendations of the Second Pay Commission (S.P.C. equivalents of C.C.C. scales). Thereunder, both shore workers and coal trimmers were brought on the new scales of 70—1—85—EB—2—89 from 1st July, 1959.
- (d) The Central Wage Board has prescribed the scale of 104-2-116-3-131-EB-3-140 for both shore workers and coal trimmers.
- 14. Thus, the basic wages of both categories have all along been the same, but the coal trimmers have been getting a trimming pay of Rs. 5/- p.m. As this is considered pay for all purposes, it is taken into account for determining City compensatory allowance, house rent allowance etc., and the trimmers, therefore, get a higher allowance in some cases than shore workers on an identical basic pay. For instance, when the basic pay was Rs. 70/-, the shore worker got a house rent allowance of Rs. 10/- while a trimmer got Rs 15/- (as for purposes of this allowance, his pay was considered to be Rs. 75/- including trimming pay).
- 15. The coal trimmers were thus getting higher emoluments than the shore workers because of the trimming pay. The position, however, underwent a change after the introduction of the Incentive Tonnage Scheme for shore workers in the Calcutta Port in 1961 which was replaced in 1964, by a new scheme called 'The revised Incentive Piece-rate Scheme, 1964'.
- 16. When the incentive tonnage scheme was introduced from 1st November, 1981, the basic pay of the shore workers remained the same. But they were entitled, under Para 10 of the scheme, to get Rs. 4/- on each of their Roster-off days which amount included the daily element of the Dearness Allowance and additional allowance etc. Under Para 16 of the Revised Incentive Piece-rate

Scheme 1964, the shore workers were entitled to get Rs. 2-40 on their Roster-off days.

- 17. The Wage Board, in Paras 7.5.6 to 7.5.8 of its Report, unanimously recommended modification of the Revised Piece-rate Incentive Scheme, 1964, in Calcutta Port on the lines indicated in Para 7.5.7. In clause (v) of this Para, it recommended a payment of Rs. 5.94 for the weekly day of rest.
- 18. The workmens' contention is that the coal trimmers are now getting less emoluments than the shore workers, when they should get more. In support of this, they have, in Para 15 of their Written Statement, given the total emoluments earned by the Coal Trimmers and the shore workers at different times. In doing so, however, they have taken the maximum of the trimming porters' scale in the table relating to September 1957. In the tables relating to the 1st October, 1957 and 1st July 1959, they have taken a middle step of the scale of trimming porters whereas in all these cases, they have taken the minimum of the scale of shore workers. I agree that this would not be a proper comparison. It is true that the trimming porters were getting higher pay in 1957 but that is because their emoluments which they were getting under the contractor were to be—protected. The correct comparison would be to take emoluments of a fresh coal trimmer and a fresh worker. Both of them would start at the minimum of their scale.
- 19. The Calcutta Port Commissioners have, at the hearing before me, produced a statement showing the total emoluments at the minimum and at the maximum of the pay scales, both of coal trimmers and shore workers at different times. As mentioned above, the basic pay of both categories was the same both at the minimum and maximum of the scales. The differences in the total emoluments are a result of the trimming pay to trimmers and payment for Roster-off days to shore workers.

20. The following were the total emoluments at different times at the minimum of the scale:

					Coal Trimmers	Shore 1 Workers.
Before 1-10-1957				•	97 . 50	92 50
From 1-10-1957(C.C.C. Scale)				•	97.50	92 50
From 1-7-1959(S.P.C.Scale).			•		121 30	115.80
From 1-11-1961(Incentive Scheme)					112 50	112 10
From 1-11-1964		•		•	125 50	125.10
From 1-1-1969 (Wzge Board Scales)					211 .90	230 16

#### 21. The total emoluments at the maximum of the scales are as under:

						Coal Trimmers	Shore Workers]
Before 1-10-1957	•		•	•	•	102.20	97.50
From 1-10-57 (C.C.C. Scale)	•	•			•	103 50	98.50
From 1-11-1961 (Incentive Scheme)		•	•	•		133*40	137 50
From 1-11-1964	•		•		•	146 40	150,20
From 1-1-1969 (Wage Board Scales)	•	•	•	•	•	281.10	299 6

22. The contention of the union is that it is a clear anomaly that whereas trimmer should get more than a shore worker, he is getting less. It may be noted here that the actual earning of a shore worker would be more than mentioned above because of the incentive scheme. But those earning cannot be taken into account for comparison, because they are higher earnings due to higher output of work. But even if we take only the fall back wage of a shore worker into account and assume that throughout a month, he reports for duty and gets no work on any day and earns only the fall back wages throughout the month, his total emoluments would be as shown above.

- 23. It was argued on behalf of the Port Commissioners that the Wage Board recommended identical scales both for trimmers and store workers, inspite of the fact that it recommended an increase in the payment for the weekly Roster-off for the shore workers and, therefore, it must be assumed that Wage Board must have been satisfied that the shore workers was entitled to higher total emoluments. It was further argued that the labour members of the Wage Board agreed to this and did not consider the payment of Roster-off to the shore workers as an anomaly.
- 24. It may be noted, however, that the Wage Board took the wage structure as it stood at the time of its deliberations. Paras 7-2-35 and 7-2-36 of the Wage Board are important in this connection. So also are Paras 7,2-8 and 7,2-9. They show that the Wage Board, in evolving the new wage structure, decided to take the CCC scales as a guide and evolved new scales on the basis of SPC equivalents thereof. The labour members wanted the Board to go into the nature of duties of each post before fixing pay scales, but this was not practicable. Labour representatives were of the view that there were anomalies in the recommendations made by the CC Committee, and they were asked to bring such cases before the Board for consideration. The lists of such cases were submitted to the Board from time to time, but even the earliest list was submitted at a very late stage. For want of time, therefore, the Board could not go into the merits of these cases. When the hew scales were evolved on the basis of CCC scales, the understanding in the Board was that labour members would be free to raise questions of anomalies arising from the Board's decisions in respect of the categories, whose new pay scales were not found to be adequate in keeping with the duties and responsibilities of the posts or if some other hardship was likely to be caused, but the Board could not go into the cases of anomalies raised by labour for want of time.
- 25. As the Wage Board evolved a new pay structure of the different categories of the workers on the basis of SPC equivalents of CCC scales, it could not be said that it considered that the shore workers were entitled to higher emoluments than coal trimmers. Actually the Wage Board prescribed identical pay scales both for coal trimmers and shore workers because the scales existing at the time were identical. The Wage Board has also observed that dock workers were entitled to higher wages than shore workers.
- 26. I may repeat that the anomaly of a shore worker getting higher total emcluments than a coal trimmer arose as a result of payment to the shore worker for the weekly Roster-off days introduced by the Incentive Schemes. They create an anomaly because though a trimmer's work is harder and more strenuous and though it has all along been recognized that he should get more than a shore worker, his total emoluments came to less than those of shore workers as a result of the payment for weekly Roster-off days.
- 271 After the Government received the report of the Wage Board, it passed a resolution No. WB-21(7)/69 dated 28th March, 1970, accepting the unanimous and the majority recommendations of the Wage Board subject to five clauses mentioned in para 4 of the Government resolution. Clause (iv) reads as under:
  - "(iv) Any existing anomalies regarding the pay scales of employees of various ports and also such other anomalies/difficulties that may arise in the course of implementation of the new wage structure evolved by the Wage Board will, in the first instance, be discussed informally between the parties and settled at the port level. The Government will consider the question of setting up suitable bipartite or tripartite machinery for dealing with any issues that remain unresolved."
- 28. The present dispute is a dispute for correcting the anomaly in the pay structure of the trimmers. The matter appears to have been discussed between the parties, but could not be settled. That is why they appear to have referred it to me for arbitration.
- 29. Before the introduction of the Incentive Scheme in 1961, the trimmers were getting Rs. 5/- more than the shore workers. With the introduction of payment for weekly Roster-off days in the Incentive Scheme, the emoluments of the shore workers increased. Even then, at the minimum of the scale, coal trimmers were getting alightly more (Rs. 0.40) than the shore workers; while at the maximum of the scale, the shore workers got Rs. 4.10 more than the coal trimmers (Probably none had reached the maximum of the scale at the time). When, however, the Wage Board recommended revision of the Incentive Scheme and therein it also recommended increase in the pay for the weekly Roster off, the result was the shore worker would get about Rs. 18/- more than the coal trimmer.

- 30. I might repeat that there can be no doubt that the work of a coal trimmer is more strenuous and more hazardous and he has to work in more difficult conditions. Because of this, the Chairman of Calcutta Port Commissioners had as long ago as 1951 recommended a trimming pay of Rs. 5/-. The Industrial Tribunal also accepted this and awarded that the trimmer should get Rs. 5/- p.m. (in addition to dust allowance). The Wage Board also recognised that the dock workers have been, for various-reasons including the nature and place of work, getting higher wages than the shore workers. The Board also decided unanimously that even in future a suitable differential between the cargo handling workers on shore and those on board the ship should be maintained (See para 7.2.92 of the Wage Board Report). I am satisfied that there is an anomaly in the pay structure in that the coal trimmers get less than shore workers, when they should get more.
- 31. Before proceeding further, I may mention that the matter referred to me is whether there is any anomaly in the pay structure of these workers as evolved by the Central Wage Board for the Port and Dock workers. It is true that the anomaly has not come into existence as a result of the wage board recommendations. The anomaly was already there and the recommendations of the Wage Board continued the anomaly or rather increased it. The terms of reference do not mention that the anomaly should have been created by the Wage Board. They only mention whether there is an anomaly in the pay structure as evolved by the Wage Board and there can be no doubt that there is an anomaly.
- 32. The next question is as to how the anomaly should be removed and from what date. The anomaly can be removed by prescribing a higher pay scale for the trimmers or by increasing their trimming pay. If the pay scales were revised, it would create complications and might raise further anomalies. Shri Makhan Chatterji who appeared for workers fairly conceded that this would not be proper and that the basic pay fixed for the trimmers should not be disturbed. The only way, therefore, to remove the anomaly and to see that the trimmers get more (and not less) than the shore workers is to increase the trimming pay.
- 33. The workers have, in their Written Statement, demanded that the trimming pay of Rs. 5/- p.m., and Rs. 7.50 p.m., for different categories should be increased to Rs. 30/- and Rs. 37.50 p.m., respectively.
- 34. The shore workers now get Rs. 5.94 for each weekly Roster-off. The Calcutta Port Commissioners have calculated this as Rs. 23.76 per month, but this would not be strictly accurate. There are 52 weeks in a year and the total payment for the Roster-off for the year would come to Rs. 308.88, which would work out to Rs. 25.74 per month.
- 35. On the other hand, it has also to be borne in mind that the trimming pay is considered to be pay for all purposes. The Wage Board has fixed compensatory allowance at the rate of 10 per cent of pay and house rent allowance at the rate of 16 per cent of pay. The trimmers would get compensatory allowance and house rent allowance on the amount of trimming pay. If, therefore, the trimming pay is increased by Rs. 20/- p.m., the total emoluments would be increased by Rs. 25.20 p.m.
- 36. Having given my consideration to all relevant facts, I am of the view that to remove the anomaly those categories who now get a trimming pay of Rs. 5/p.m. should get Rs. 25/- p.m. and those who now get Rs. 7.50 p.m., should get Rs. 30/- p.m.
- 37. The last question for my consideration is at to from what date this should be made effective. It is true that the Wage Board recommendations have been brought into force from 1st January, 1969 and that is the date from which the workers want addition in the trimming pay. In this connection, I may mention that the anomaly has been in existence for quite some time and the workers are themselves to blame for keeping silent about it for so long. I would direct that the increase in the trimming pay should come into effect from 11th November, 1970 on which date the parties entered into the agreement of referring the matter to arbitration.

I pass my award accordingly.

Dated 26th February, 1971.

Sd. /- L. P. DAVE.

Arbitrator.

[No. 12/30/70-P & D.]

#### **ORDERS**

#### New Delhi, the 25th March 1971

S.O. 1431.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Calcutta Port Commissioners, Calcutta and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

#### SCHEDULE

"Whether the demand of the workmen for designating Shri Ashutosh Dey and Shri Bijoy Chandra Das of D.L.S. Workshop in the Calcutta Port Commissioners as Viceman Fitters is justified; if so, to what relief and from what date, are they entitled?"

[No. 72/31/70-P&D.]

(श्रम ग्रंड रोजार विभाग)

#### ग्रादेश

### नई दिल्ली, 25 मार्च, 1971

का० शा/० 1431.—यतः केन्द्री । सरकार की राय है कि इतसे उनाबद्ध श्रतसूत्री में विनिर्दिष्ट विषयों के बारे में कतकता पान श्रायुक्त, कतकता के प्रवन्त्रतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक श्रीद्योगिक विवाद विद्यमानी है:

भ्रौर यतः केन्द्रीय स**्क**ार उक्त विवाद को न्यायितर्गयन के लिए निर्देशित **क**रना वा<mark>छतीय</mark> समझती है;

मतः, भव, भोशोगिक विवाद अधिनिमम, 1947 (1947 का 14) की धारा 10 की उपभारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा उक्त विवाद को उन्त श्रीधिनियम की धारा 7-क के अभीन गठित केन्द्रीय सरकार भोद्योगिक अधिकरण, कनकता को न्यायनिर्णयन के लिए निर्देशित करती है।

### **ग्र**नुसूची

''क्या कर्नकारों की कजकता कान प्रायुक्त की डी० एज० एज० कर्नशाना के श्री प्राशुतोष डे आहीर श्री विजय चन्द्र दास को वाइसमैन फिटरों के रूप में पदनामित करने की मांग न्यायोचित है; व्यदि हां तो वे किस ग्रनुकार के ग्रीर किस तारीख से हकदार हैं ?''

[सं॰ 72/31/71-पी एंड डी 3]

#### New Delhi, the 26th March 1971

S.O. 1432.—Whereas an industrial dispute exists between the employers in relation to the Management of the Food Corporation of India, Eastern Zone, Calcutta and their workmen represented by the Food Corporation of India Workers' Union, Calcutta.

And whereas the said employers and their workmen have, by a written agreement under Sub-Section (1) of Section 10(A) of the Industrial Disputes, Act;

1947, agreed to refer the said dispute to arbitration and have forwarded to the Central Government, under Sub-Section (3) of Section 10A of the said Act, a copy of the said arbitration agreement;

Now, therefore, in pursuance of Sub-Section (3) of Section 10(A) of the said Act, the Central Government hereby publishes the said agreement.

## AGREEMENT UNDER SECTION 10(A) OF THE INDUSTRIAL DISPUTES ACT, 1947

#### BETWEEN

Representing Employers:—(1) Deputy Zonal Manager, (2) Joint Manager (Port Operation), The Food Corporation of India, Eastern Zone.

Representing Workmen:—(1) Secretary the Food Corporation of India Workers' Union, 58, Diamond Harbour Road, Calcutta-23.

It is hereby agreed between the parties to refer the following Industrial Disputes to the arbitration of Shri B. N. Banerjee, (in his personal capacity), presently Presiding Officer, Central Government Industrial Tribunal, Calcutta.

- (i) Specific matter in Dispute.—(a) Whether the workers departmentalised with effect from 15th January, 1970 by the Food Corporation of India, Eastern Zone, Calcutta working in the Depot/Godown/Dock are eligible for the payment of arrears with effect from 1st January, 1969 arising out of the recommendation of the Central Wage Board for the Port and Dock Workers at the major ports as accepted by the Government of India, in the Ministry of Labour and Employment under Resolution dated 28th March, 1970.
- If so keeping in view the terms of employment existing prior to departmentalisation, whether the Food Corporation of India is responsible for effecting the said payment.
- (b) Whether the workers departmentalised with effect from 15th January, 1970 by the Food Corporation of India, Eastern Zone, working in the depot/godown/dock, are eligible for the payment of Bonus from 1st January, 1969 to 15th January, 1970.
- If so, keeping in view the terms of employment existing prior to departmentalisation whether the Food Corporation of India is responsible for effecting the payment of Bonus from 1st January, 1969 to 15th January, 1970.
- (c) Whether the Incentive Scheme introduced by the Food Corporation of India, Eastern Zone, Calcutta, dated 14th December, 1970 in relation to the piece rate Handling Workers in their godowns in greater Calcutta, needs any modification/alteration/amendment.
- If so, what should be the modification/alteration/amendment in relation to the various clauses of the Incentive Scheme introduced with effect from 16th December, 1970 by the Food Corporation of India, Eastern Zone, Calcutta.
- (ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved.—The employer in relation to Food Corporation of India, Eastern Zone, Calcutta, 10, Middleton Row, and their workmen employed at the Depot/ Godowns & Dock viz. Piece Rate Mazdoors. Time Rate Mazdoors, Mates Mandals & Sardars.
- (iii) Name of the workmen in case he himself is involved in the dispute or the name of the Union, if any, representing the workmen in question.—Food Corporation of India Workers Union, 58, Diamond Harbour Road, Calcutta-23.
- (iv) Total number of workmen employed in the undertaking affected.— 2,200 approximately.
- (v) Estimated number of workmen affected or likely to be affected by the dispute.—2,100 approximately.

The Arbitrator shall make his award within a period of three months from the date when he takes up the reference or within such further time as is extended by mutual agreement between us in writing. In case the award is not

made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

#### Signature of the parties:

#### Representing workmen:

(1) (Sd.) Secretary, Food Corporation of India Workers Union, Calcutta.

#### Representing employers:

- (1) (Sd.) P. S. Roy, Deputy Zonal Manager.
- (2) (Sd.) G. K. CHUGANI, Joint Manager (Port Operations).

#### Witnesses:

- (1) (Sd.) SUKUMAR BHATTACHARYA, (AM-DM I).
- (2) (Sd.) Prodyat Raichowdhury, Office, Secretary, F.C.I., Workers' Union.

[No. L-320-13/2/71-P&D.] AJIT CHANDRA, Under Secy.

### नई दिल्ली, 26 मार्च, 1971

का० था० 1432 -- यतः भारतीय खाद्य निगम, पूर्वी जोन, कलकता के प्रबन्धतंत्र से सम्बद्ध नियोजकों ग्रीर उनके कर्मकारों, जिनका प्रतिनिधित्व फड कार्पोरेशन ग्राफ इंडिया वर्कर्स यनियन, कलकता करती है के बीच एक बौद्योगिक विवाद विद्यमान है।

भीर यत: उनत नियोजकों भीर उनके कर्मकारों ने भौग्रोगिक विवाद भिधनियम, 1947 की धारा 10-क की उपधारा (1) के प्रधीन लिखित करार द्वारा उक्त विश्वाद को माध्यस्थम के लिए निर्देशित करने का करार कर लिया है और उक्त माध्यस्थम् करार की एक प्रति उक्त प्रधिनियम की धारा 10-क की उपधारा (3) के प्रधीन केन्द्रीय सरकार को भेजी है;

श्रतः, ग्रब, उक्त प्रधिनियम की धारा 10-क की उपधारा (3) के प्रनुसरण में केन्द्रीय सरकार उक्त करार को एतद्द्वारा प्रकाशित, करती है।

श्रीद्योगिक विवाद श्रविनियम, 1947 की धारा 10-क के श्रधीन करार

#### निम्नलिखित के बीच

नियोजकों का प्रतिनिधित्व करने वाले

(1) जोनल उपप्रवन्धक (2) संयुक्त प्रवन्धक (पत्तन संकि-यार्ये) जोन।

कर्वकारों का प्रतिनिधित्व करने वाले

(1) सिचव, फूड कार्पोरेशन ग्राफ इण्डिया वर्कर्स युनियन, 58, डायमण्ड हार्बर रोड, कलकता-23

पक्षकारों के बीच निम्नलिखित भौद्योगिक विवादों को एतदद्वारा श्री बी० एन० बनजो के को इस समय पीठासीन अधिकारी, केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता, है ( उसकी वयक्तिक हैसियत में ) माध्यस्थम के लिये निर्देशित करने का कदार किया गया है।

(i) विनिर्दिष्ट विवादग्रस्त विषय

(क) क्या भारतीय खाद्य निगम, पूर्वी जोन, कलकता द्वारा 15-1-70 से विभाक्तियक्कत डीपो/भण्डार/ डाक में काम करने वाले कर्मकार भारत सरकार के श्रम और रोजगार मंत्रालय द्वारा तारीख 28 मान, 1970 के संकल्प के अन्तर्गत यथा स्त्रोक्कत महापत्तनों पर पत्तन और डाक कर्मकारों के लिये केन्द्रीय मजदूरी बोर्ड की सिफारिशों स उद्भूत बकाया के 1-1-69 से संदाय के पात हैं?

यदि हां, तो क्या विभागीयकरण से विद्यमान नियोजन-निबन्धनों को घ्यान में रखते हुये भारतीय खाद्य निगम उक्त संदाय करने के लिये उत्तरदायी है।

(ख) क्या भारतीय खाद्य निगम, पूर्वी जोन द्वारा 15-1-70 से विभागीयकृत डीपो/भण्डार/डाक में काम करने वाले कर्मकार 1-1-69 से 15-1-1970 तक के बोनस के संदाय के पात्र हैं ?

यदि हां, तो क्या विभागीयकरण से पूर्व विद्यमान नियोजन निबन्धनों को ध्यान में रखते हुये भारतीय खाद्य निगम 1-1-1969 से 15-1-70 तक के बोनस का संदाय करने के लिये उत्तरदायी हैं ?

(ग) क्या भारतीय खाद्य निगम, पूर्वी जोन, कलकत्ता द्वारा ग्राने वृहत्तर कलकत्ता स्थित गोदामों में मात्रा-नुपातो दर वाले हैंडलिंग कर्मकारों के सम्बन्ध में चालू की गई तारीख 14-12-70 वाली प्रोत्साहन स्कीम में कोई उगन्तरण/परिवर्तन/संशोधन करने की ग्रावश्य-कता है ?

यदि हां, तो भारतीय खाद्य निगम, पूर्वी जोन, कलकत्ता द्वारा 16-12-70 से चालू की गई प्रोत्साहन स्कीम के विभिन्न खण्डों के सम्बन्ध में किया जाने वाला उनान्तरण/परिवर्तन/संशोधन क्या होना चाहिये?

- (ii) विवाद के पक्षकारों का विवरण जिसमें भ्रन्तवैलित स्थापन या उपक्रम का नाम भीर पता भी सम्मिलित है।
- (iii) यदि कर्मकार स्वयं विवाद में मन्तर्वेतित हैं तो उसका नाम या यदि कोई संघ प्रश्नगत कर्म-कारों का प्रतिनिधित्व करता हो तो जसका नाम ।

भारतीय खाद्य निगम, पूर्वी जोन, कलकत्ता 10, मिडल्टन रोड, कलकत्ता से सम्बद्ध नियोजक भीर उसके कमकार जो डिपो/भंडारों भीर डाक में नियोजित हैं, ग्रर्थात् मालानुपाती दर वाले मजदूर, कालानुपाती दर वाले मजदूर, मेट मण्डल भीर सरदार ।

फूड कार्परिशन माफ इण्डिया वर्कर्स यूनियन, 58, बायमंड ्हार्वर रोड, कककता-23

- (iv) प्रभावित उपक्रम में नियोजित लगभग--2200 कर्मकारों की कुल संख्या।
- (v) विवाद द्वारा प्रभावित या संभा- लगभग--22100 व्यतः प्रभावित होने वाले कर्मकारों की प्राक्किलित संख्या।

मध्यस्य भ्रपना पंचाट उस तारीख से जब वह निर्देश पर कार्य करने लगता है, तीन मास की भ्रविष्ठ के भीतर या इतने भीर समय के भीतर जो हमारे बीच पारस्परिक लिखित करार द्वारा बढ़ाया जाये, देगा। यदि ऊपर विणत भ्रविष्ठ के भीतर पंचाट नहीं दिया जाता तो मध्यास्थम के लिये निर्देश स्वतः रह् हो जाएगा भीर हम नये माध्यस्थम के लिये बातचीत करने के लिये स्वतंत्र होंगे।

### पक्षकारों के हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले

- (1) ह०/- पी० एस० राय, जोनल उपप्रवन्धक
- (2) ह०/- (जी० के० चुगानी, संयुक्त प्रवन्धक (पत्तन संक्रियाएं)

कर्मकारों का प्रतिनिधित्व करने वाले

ह०/-सचिव ।

फूड कार्फोरेशन भ्राफ इण्डिया वर्कर्स यूनियन, कलकत्ता।

साक्षी:---

- (1) ह०- सुकुमार भट्टाचार्य, (ए० एम०--डी० एम० I)
- (2) ह०-प्रोद्यत राय चौघरी, कार्यालय सचिव, एफ० सी० ग्राई० वर्कसं यूनियन।

[सं॰ एल॰-320-13/2/71/पी॰ एण्ड डी]

श्रजित चन्द्र, भवर सचिव।

#### (Department of Labour and Employment)

New Delhi, the 25th March 1971

8.0. 1433.—In exercise of the powers conferred by section 7, read with section 9 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby nominates Sarvashri J. K. Mathur, Joint Director, Civil Engineering, Railway Board and K. S. K. Rao, Assistant Commissioner (Land Reclamation) Department of Agriculture, as members of Advisory Board in place of Sarvashri N. V. Basru and Gurmel Singh and makes the following further amendments in the notification

of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3580, dated the 26th September, 1968, namely:—

In the said notification, under the heading "II. Representatives of Employers", for entries (2) and (5), the following entries shall respectively be substituted, namely:—

- "(2) Shri J. K. Mathur, Joint Director, Civil Engineering, Railway Board, Ministry of Railways, New Delhi.".
- "(5) Shri K. S. K. Rao, Assistant Commissioner (Land Reclamation), Department of Agriculture, New Delhi"

[No. LWI. 1-6 (15)/68 (WE).]

### (श्रम ग्रौर रोजगार विभाग)

### नई दिल्ली, 25 मार्च, 1971

का० आ० 1433.—न्यूनतम मजदूरी प्रधिनियम, 1948 (1948 का 11) की धारा 9 के साथ पठित धारा 7 द्वारा प्रदत्त शिक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, सर्वश्री जे० के० माथुर, संयुक्त निदेशक, सिविल इंजीनियरी, रेल बोर्ड और के० एस० के० राव, सहायक आयुक्त (भूमि-सुधार) कृषि विभाग को सर्वश्री एन० वी० बसहर और गुरमेल सिंह के स्थान पर एत्रद्दारा सलाहकार बोर्ड के सदस्य के रूप में नामनिदंशित करती है और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० आ० 3580, तारीख 26 सितम्बर, 1968 में और आग निम्नलिखित संशोधन करती है, अर्थात:—

उक्त अधिसूचना में, शीर्ष "2. नियोजकों के प्रतिनिधि" के नीच प्रविष्टियों (2) और (5) के स्थान पर क्रमशः निम्नलिखित प्रविष्टियां प्रतिस्थापित की जाएंगी, ग्रर्थातु :—

- "(2) श्री जे० के० माथुर, संयुक्त निदेशक, सिविल इंजीनियरी, रेल बोर्ड, रेल मंत्रालय, नई दिल्ली।
- "(5) श्री के० एस० के० राव, सहायक भ्रायुक्त (भूमि सुधार), कृषि विभाग, नई दिल्ली।"

[संख्या एल० डब्ल्यु० ग्राई० 1-6(15)/68(डब्ल्यु० ई०]

S.O. 1434.—Whereas the Central Government is of opinion that the minimum rates of wages should be fixed under the Minimum Wages Act, 1948 (11 of 1948) in respect of employment in Quartz Mines covered under the Mines Act, 1952 (35 of 1952).

Now, therefore, in exercise of the powers conferred by section 27 of the said Act, the Central Government hereby given notice of its intention to add the said employment to part I of the Schedule to the said Act.

Any suggestions or objections which may be received from any person in respect of the said addition before the 30th June, 1971 will be considered by the Central Government.

[No. 2(33)/67-LW1 (WE).]

HANS RAJ CHHABRA, Under Sarv.

का॰ सा॰ 1434. यत: केन्द्रीय सरकार की राय है कि खान अधिनियम 1952 (1952 का 35) के अन्तर्गत आने वाली स्फीटक खानों में के नियोजन की बाबत न्युनतम मजदूरी दरें, न्यूनतम मजदूरी प्रधिनियम 1948 (1948 का 11) के अधीन नियत की जानी चाहिए ।

ग्रतः, ग्रब, उक्त ग्रधिनियम की धारा 27 द्वारा प्रदत्त शवितयों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त ग्रधिनियम की ग्रनुसूची के भाग 1 में उक्त नियोजन को जोड़ने के ग्रपने ग्राशयत की सूचना एतद्वारा देती है।

केन्द्रीय सरकार किन्ही भी एसे ग्राक्षणों या मुझावों पर दिचार करेगी ज्ञो उबत परिवर्धन के बारे में 30 जून, 1971 से पूर्व किसी व्यक्ति से प्राप्त होंगे।

[संख्या 2(33)/67-एल० डब्ल्यु० म्राई० (डब्ल्यु० ई०)]

हंस राज छाबड़ा, भ्रवर सचिव।

#### (Department of Labour and Employment)

New Delhi, the 26th March 1971

S.O. 1435.—In pursuance of clause (c) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints Shri S. N. Bose as a member of the Regional Committee for the State of West Bengal and makes the following further amendment in the notification of the Government of India in the late Ministry of Labour No. S.R.O. 1278, dated the 20th June, 1953, namely:—

In the said notification, for entry 12, the following entry shall be substituted. namely:—

"12. Shri S. N. Bose, Director, Bata Shoes and Company (Private) Limited, 30, Shakespeare Sarani, Calcutta-17."

[No. 12/6/64-PF.II.]

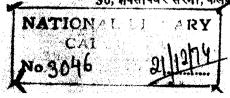
DALJIT SINGH, Under Secy.

(श्रद ग्रौर रोजगार विभाग) नई दिल्ली, 26 मार्च, 1971

का० आ० 1435.—कर्मचारी भविष्य निधि स्कीम 1952 के पैरा 4 के उपपैरा (1) के खण्ड (ङ) के अनुसरण में केन्द्रीय सरकार श्री एस० एन० बोस को पश्चिमी बंगाल राज्य की क्षेत्रीय समिति का सदस्य एतद्हारा नियुवत करती है श्रीर भारत सरकार के भूतपूव श्रम मंत्रालय की अधिसूचनासं० का० नि० ग्रा० 1278 तारीख 20 जून, 1953 में और ग्रागे निम्नलिखित संशोधन करती है, ग्रर्थात :—

उक्त अधिसूचना में प्रविष्टि 12 के स्थान पर निम्नलिखित प्रविष्टि प्रतिस्थापित की आएगी,

"12. श्री एस० एन० बोस, निदेशक, बांटा शूज एण्ड कम्पनी (प्राइवेट) लिमिटेड, 30, शेक्सपियर सरनी, कलुक्रला–17" ।



[संख्या 12/6/64-यी० एफ०-2] दलजीत सिंह, सबर सिंखी

#### (Department of Labour and Employment)

#### New Delhi, the 25th March 1971

S.O. 1436.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Iron Ore Mines of Messrs Companhia Mineira Dempo and Souza Limited and their workmen, which was received by the Central Government on the 18th March, 1971.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY
REFERENCE No. CGIT-36 of 1967

#### PARTIES:

Employers in relation to M/s Companhia Mineira Dempo and Souza Ltd., Goa

#### AND

#### Their Workmen

#### PRESENT:

Shri A. T. Zambre, Presiding Officer.

#### APPEARANCES:

For the employers-Shri P. K Rele, Solicitor,

For the workmen—Shri Madan Phadnis, Advocate with Shri George Vaz, General Secretary, Goa Mining Labour Welfare Union.

STATE: Union Territory of Goa, Daman and Diu. INDUSTRY: Iron Ore Mining

Bombay, dated 27th February, 1971

#### AWARD

The Government of India, Ministry of Labour, Employment and Rehabilitation, Department of Labour and Employment, by order No. 37/9/67/-LR-I dated 24th November, 1967 have referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the iron ore mines of Messrs. Companhia Mineira Dempo and Souza Ltd., and their workmen in respect of the matters specified in the following schedule:

#### SCHEDULE

- "Whether the present rates of wages and dearness allowance being paid to the piece-rated workmen employed in the Iron Ore Mines of Messrs. Companhia Mineira Dempo and Souza Ltd., are adequate, keeping in view the prevailing cost of living index, If not, what should be the wages, dearness allowance and other allowances, and whether the dearness allowance should be linked with the cost of living index for the working class?
- 2. Whether aforesaid piece-rated workmen are entitled for payment of bonus under the payment of Bonus Act for the accounting years 1964-65 and 1965-66? If so, what should be the quantum of bonus?"
- 2. The terms in the above schedule will show that the dispute in the present eference concerns only the piece-rated workmen employed in the iron ore mines if the company. These workers are the members of the Goa Mining Labour Welare Union Assonora. The union has by its statement of claim contended that the ompany has been started before some 12 years and is engaged in the mining of ron ore. It is one of the biggest iron ore mining concerns in the union territory f Goa and has in its employment about 1500 workmen. It is alleged that out of the 500 employees about 800 to 900 are on piece-rate basis and under the direct superlision of the company and work in the industry on piece-rate or group basis.
- 3. It is further alleged that the present rate of piece-work paid to the workmen as fixed in the year 1954 and there has been no revision in this rate for the last years. The cost of living index in every part of the country including Goa has one up considerably. The total amount of piece-rate earned by a group of five orkmen in a month comes to about Rs. 398/- and thus each workman earns about 6.65.07 in a month which comes to a Rs. 2.50 per day while an imskilled worker the region is paid a total minimum wage of Rs. 6/- per day. Moreover the piece-ted workmen have to work about 10 to 12 hours a day and thus the workmen are

the lowest paid employees. They should get full neutralization of the rise in the cost of living index and should be paid piece-rate at Rs. 9/- per day linked to the all India working class consumer price index of 166 of 1949 = 100 basis and for a further rise in the cost of living index. They had also contended that the Payment of Bonus Act, 1965, is applicable to workmen working on piece-rates and the workmen should be given bonus for the two years after calling upon the company to file their balance sheets and profit and loss accounts and other information required.

- 4. The employers have by their written statement opposed the reference firstly on the contention that the company did not employ any piece-rated workmen in its iron ore mines and no question can arise of a dispute between the company and its workmen. It has contended that the company has entered into a contract with mining contractors who undertook the winning of the required grade of ore. The mining contractors engage their labour force. The payment to the labour employed by the contractors is entirely a matter between the contractors and their labour force. The company does not pay any wages to the alleged piece-rated workmen as it does not employ any piece-rated workmen. The mining contractors are allotted from time to time faces in the company's mines for wining ore and there is no privity of contract between the workmen employed by the contractors and the company. The workers engaged by the mining contractors are not the workmen of the company and as there is no industrial dispute the company is not concerned in any way with the hiring or firing or remuneration or supervision of the workmen engaged by the mining contractors, and the company cannot be called upon to treat such workmen as its workmen and the reference is not tenable.
- 5. By a subsequent written statement the employers raised technical issues contending that the company was prosecuted under the Payment of Wages (Mines) Rules, 1956 for breach of the provisions of the rules. In that case it was urged on behalf of the company that the piece-rated persons engaged by the contractors for winning ore were not the employees of the company and therefore the company was not under obligation to comply with all or any of the provisions of the said rule. The learned Judge after considering the evidence on record came to the conclusion that there was no master and servant or employer and employee relationship between the said persons and the company and had dismissed the complaint. The State had preferred an appeal against the said judgment and the Judicial Commissioner Goa, Daman and Diu dismissed the appeal and as the question whether the persons engaged by the contractors are the employees of the company has been the subject matter of judicial pronouncement by the Judicial Commissioner's Court which judgment is binding on this Tribunal it is not open to the workmen to reagitate the same question.
- 6. In the alternative it has been contended that the question is barred by resjudicata or principles analogous to res-judicata and as there is no employer employee relationship between the company and the workmen the reference should be dismissed and the parties have requested the Tribunal to first consider the contention about res-judicata and the relationship between the parties.
- 7. In support of their contentions the company has produced a copy of the judgment of the Judicial Commissioner's Court, Goa, Daman and Diu passed in Criminal Appeal No. 22 of 1967 by which the company and its manager and agent were prosecuted for the offences of the breach of rules 5, 5A and 8(2) of the Payment of Wages (Mines) Rules, 1956 on the complaint that the company had not maintained the registers of wages of the piece-rated workmen numbering about 461 as required by rule 5. It appears the trial Court had dismissed the complaint and acquitted the accused and the State had preferred an appeal which was also dismissed. The company has also produced copies of the judgments in other criminal cases Criminal Case No. 458/69, 269/70, 460/69, 457/69 and 271/70 which show that in similar prosecutions for the non-observance of the rules the company was acquitted and the first question is whether the issue is barred by res-judicata.
- 8. Shri Rele the learned Counsel on behalf of the management has argued that the original complaint No. 22/1967 was filed by the Labour Enforcement Office (Central) Vascoda-Gama who had visited the iron ore mines of the company a Bicholim on 4th and 5th June 1965 and had notice non-observance of the provisions of rule 5, 5A and 8(2) as the company had not maintained the register of wages for the piece-rated workmen. The trial court had held that the piece-rated workmen had actually been employed by the contractors engaged by the accused and not highly the accused and as such the accused were not bond to maintain the necessary register. The appeal court had also upheld the decision and thus there is flinding that the piece-rated workmen have been employed by the contractors and not have been employed by the contractors are the contractors are the contractors.

piece-rated workmen and the company and the workmen cannot now agitate the same question as it has become res-judicata.

9. It is true that the Criminal Court has held that the 461 workmen have been employed by the contractors engaged by the company and the appellate Court has also accepted the decision. The Judicial Commissioner's Court has framed the issue as follows:-

"The principal question that falls for determination is whether the 461 workmen were the employees of the company or of the contractors engaged by the company and if latter whether the company was bound in law to maintain the registers in respect of those workmen."

The learned Judge has discussed the evidence and has observed:

"It can bear repetition to state that Joao Costa and Miguel Colaco have unequivocally confirmed that they had been engaged as contractors by the company and it were they who had employed the workmen for digging the ore for other connected works."

The learned Judge has also discussed the ruling reported in A.I.R. 1958 S.C. 388 Chintaman Rao v. State of Madhya Pradesh where it has been observed that the concept of employment involves three ingredients (1) employer (2) employee and (3) the contract of employment and has given the finding:—

"The prosecution was unable to establish any direct contract between the workmen and the company. On the other hand the prosecution evidence conclusively establishes that those workmen had been directly engaged by the contractors of the company and that the company had to control over any of these workmen.'

and the appeal was dismissed.

This judgment clearly shows that the issue about the employer-employee relationship between the 461 piece-rated workmen and the company has been actually gone into and according to the finding there is no employer-employee relationship.

- 10. However, it cannot be ignored that this finding has been given in a criminal case against the company. The complaint was filed by the Labour Enforcement Officer and it cannot be said that the workmen were parties to these proceedings. The learned Counsel Shri Rele has relied upon the rulings reported in 1957 1 LLJ 226 and 1965 II LLJ 405. In the first ruling it has been observed:—
  - "It is on this principle that the rule res-judicata enacted in section 11 of the Civil Procedure Code is based. That section is no doubt in terms in applicable to the decisions of industrial tribunals but the principle underlying it expressed in the maxim interest rei publicaeut sit finislitium is founded on sound policy and is of universal application. Now there are good reasons why this principle should be applicable to decisions of industrial tribunals also."
- I do not think that these observations would be applicable to the facts of the present case as the first decision is of the Criminal Court. The parties are different and the issue cannot be barred even on principles analogous to the principles of res-judicata.
- 11. The learned Counsel Shri Rele has argued that the present reference is in respect of the dispute between the parties from the territory of Goa. The Judicial Commissioners' Court is declared to be High Court and he decision of that Court will be binding on this Tribunal and as the point has been decided by the higher court the findings shall have to be accepted and it should be held that there is no employer-employee relationship between the parties. The learned Counsel has invited my attention to the provisions of the Goa, Daman and Diu Judicial Commissioner's Court Declaration as High Court) Act, 1964 and the ruling reported in A.I.R. 1962 Supreme Court page 1893 Messrs. East India Commercial Co. Ltd., Calcutta and another v. Collector of Customs, Calcutta and the question is whether the judgement is binding upon this Tribunal as law.
- 12. It is clear from the provisions of section 3 of the Goa, Daman and Diu Judicial commissioner's Court (Declaration as High Court) Act, 1964 that the Court of the Judicial Commissioner for the Union Territory of Goa, Daman and Diu is declared to be a High Court for the purposes of articles 132, 138 and 134 and the Judicial Commissioner's Court has to be considered to be the High Court in the union territory. It is also clear from the provisions of section 6 of that Act that the provisions of Article 226 and 227 are applicable and the Honourable Court can issue appropriate strikes under those articles.

13. The learned Counsel has relied upon the ruling reported in A.I.R. 1982 in which it has been observed on page 1905:—

"This raises the question whether an administrative tribunal can ignore the law declared by the highest court in the State and initiate proceeding in direct violation of the law so declared. Under Article 215 every Court shall be a court of record and shall have all the powers of such a court including the power to punish for contempt of itself. Under article 226 it has a plenary power to issue orders or writs for the enforcement of the fundamental rights and for any other purpose to any person or authority including in appropriate cases any Government within its territorial jurisdiction. Under Article 227 it has jurisdiction over all courts and tribunals throughout the territories in relation to which it exercises jurisdiction. It would be anomalous to suggest that a tribunal over which the high court has superintendence can ignore the law declared by that court and start proceedings in direct violation of it. If a tribunal can do so all the subordinate courts can equally do so for there is no specific provision just like in the case of Superme Court making the law declared by the High Court binding on subordinate courts. It is implicit in the power of supervision conferred on a superior tribunal that all the tribunals subject to its supervision should conform to the law laid down by it. Such obedience would also be conducive to their smooth working, otherwise there would be confusion in the administration of law and respect for law would irretrievably suffer. We therefore hold that the law declared by the Highest Court in the State is binding on authorities or tribunals under its superintendence and that they cannot ignore it either in initiating a proceeding of deciding on the rights involved in such a proceeding."

This ruling will not be applicable to the facts of the case. I do not think that the Judicial Commissioner's Court has any power of superintendence over this Tribunal which has been constituted under section 7 of the Industrial Disputes Act. Article 227 provides in effect that every High Court shall have superintendence over all courts and tribunals throughout the territory in "ation to which it exercise jurisdiction. This tribunal is not situated in the union territory and consequently the ruling will not be applicable.

- 14. Moreover the judgment produced by the employers does not lay down any law but decides the issues involved in that case. The learned Judge of the Appellate Court has accepted the findings of the trial court and there is no question of violation of any law laid down by the Judicial Commissioner. The decision in any case is binding between the parties themselves and as the workmen are not parties to the case there is no question of the decision being binding in these proceedings and under the circumstances it shall have to be held that though the question has been decided in the criminal case the same can be reagitated and considered again and the further question is whether there is any employer employee relationship between the parties.
- 15. After the parties filed their statements and rejoinders when the matter was fixed for hearing the employers have in support of their contentions filed an affidavit of their Mining Engineer and Manager Shri Amal Chandra Bose. The union did not file any affidavit and the matter had to be adjourned. Subsequently the reference was kept for hearing on 23rd January. 1970 at Panjim when both parties requested that the preliminary points should be heard in Bombay. Accordingly when the reference was fixed for hearing in Bombay the Union made an application for adjournment contending that the employers had filed an affidavit and the union has also to tender evidence and so it should be fixed at Goa and so it was adjourned. It was again fixed for hearing at Goa on 30th September, 1970. But on that day also both the parties asked for an adjournment and requested that the reference may be kept for hearing in Bombay expressly stating that if any witness has to be produced for the preliminary hearing he will be produced in Bombay. Accordingly the matter was fixed for hearing but the union has not produced any affidavit nor have they examined any witness and there is no evidence on their schalf.
  - 16. The Mining Engineer of the company has in his affidavit stated:—
    - "The company owns iron ore mines in Goa. The winning of the required grade ore is a very speculative endeavour and such winning if done manually by a mine owner will put him to tremendous costs with no guarantee of his winning the required grade or to even set off such costs. Hence traditionally individuals or associations of individuals take the risk and chance of winning the required grade of ore and enter into contracts with the mine owners on the basis of the mining contractor being paid for their required grade of ore won by him."

He has further stated that the mining contractors engage their own men and the company is in no way concerned with either the hiring of or payment to or hours of work of attendance or discipline of the men engaged by the mining contractor and neither has the company any control over the said men. He has also stated that the controctor and his men who are winning the ore are not workmen employed by the company. The company does not employ any piece-rated employees and the alleged piece-rated persons are employed by the contractors and are directly answerable to them and this evidence shows that the piece-rated employees are employed by the contractors and not by the company.

- 17. This inference will be further corroborated from the representation of the union itself. It is significant to note that when the union raised the dispute it has specifically stated that they were raising the dispute on behalf of the piece-rated workmen who were employed through the contractors. The Government while referring this dispute has along with the reference order forwarded to this tribunal the failure report of the Assistant Labour Commissioner together with a copy of the union's lettle dated 23rd December, 1966. The first paragraph of that letter reads as follows:—
  - "The union wishes to raise an industrial dispute under the I.D. Act 1947 in respect of piece-rated workers employed through Mukadams on the mines of Messrs. Companhia Mineira Dempo and Souza Limited, Panjim, on the following charter of demands."

This itself shows that the piece-rated workmen have been employed through the mukadams. Further a glance at the demands made will also support the management's case that the workmen are employed by the contractors. The union has made a demand that the company be made to maintain a register of all the piece-rated workers working on the mine besides the mukadam who is required to also maintain an attendance register:—

- 18. It will be further seen that when notices of this reference were issued to the parties the union has made an application dated 20th December, 1967 for time to file their statement of claim. In this application the General Secretary has stated:—
  - "I am late due to unavoidable reasons and pray the tribunal to condone the delay and grant me a month's time by which to file my statement. This is the first of the disputes concerning piece-rated workers employed in the iron-ore mines and a number of contractors or mukadams through which these piece-rated workers are employed have to be interviewed and their evidence, rates of payments etcetera registered and this process will take some time."

this shows that the workmen are directly employed by the contractors and nukadams and hence the union might not have thought proper to lead any evience and it shall have to be held that there is no employer-employee relationship between the employees involved in the reference and the company. There is no rivity of contract and consequently there can be no dispute about increase in the ates of wages. The employees are not the workmen of the company and it shall have to be held that there is no dispute between the company and its workmen. Hence my award accordingly.

No order as to costs.

(Sd.) A. T. Zambre,
Presiding Officer,
Central Government Industrial Tribunal,
Bombay,
[No. 37/9/67-LR-I(LR-IV).]

S.O. 1437.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 f 1947), the Central Government hereby publishes the following award of the entiral Government Industrial Tribunal, Bombay in the industrial dispute between the employers in relation to the management of Messrs Kherani Construction and company. Stone Metal and Building Materials Suppliers (Quarry) Bombay and heir workmen, which was received by this Central Government on the 20th March, 971.

### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY REFERENCE No. CGIT-7 of 1969

#### PARTIES:

Employers in relation to the management of Kherani Construction and Company Stone Metal and Building Materials Suppliers (Quarry) Bombaj

#### Their Workmen

#### PRESENT:

Shri A. T. Zambre, Presiding Officer.

#### APPEARANCES:

For the employers-Shri G. S. Balooch, Labour Adviser.

For the workmen—Shri G. R. Khanolkar, Legal Adviser with Shri Krishna Joshi, General Secretary Khan Kamgar Union.

STATE: Maharashtra

INDUSTRY: Quarrying

Bombay, dated 27th February, 1971

The Government of India, Ministry of Labour Employment and Rehabilitation Department of Labour and Employment have by their Order No. 36/48/69-LR-IV-1 dated 10th December 1969 referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the management of M/s Kherani Construction and Company, Stone Metal and Building Materials Supplier (Quarry), Bombay, and their workmen in respect of the matters specified in the following schedule:—

#### SCHEDULE

"Whether the employees of Messrs. Kherani Construction and Company, Wa Kata Mohili Shaki Vihar Road, Kurka, Bombay, are justified in their demands for (i) rise in wages (2) half pay leave during the injury of sickness periods (3) 12 days casual leave with full pay (4) 33 day earned leave with full pay (5) 20 days sick leave with full pay (6) dangerous allowance (7) gratuity (8) 20 per cent bonus for the year from 1962 to 1969 and (9) overtime allowance at double the round mater of wages. If so to what relief are the workmen entitled?" If so, to what relief are the workmen entitled?" rates of wages.

- 2. The employer company which is a partnership is engaged in winning the stones by blasting, breaking and crushing the same. The stones after the above processes are screened in rotary screen by method of gravitation and the finisher product comes out. For this purpose the company engages in the quarry the employees who do the work of drilling holes inside the hill. There is one blaste who puts explosives inside the driled holes and basts and when the stones are blasted out of the quarry they are manually broken by the employees known takers who break the stones according to the required sizes known as rubble smaller size known as rewalls. These are thereafter transported to the crusher installed in the factory. The employees working in the quarry are members of Maharashtra Khan Kamgar Union, Bombay.
- 3. In the month of June 1969 there were some disputes between the working and the management. The workmen requested the management to provide the with vehicles to go to the hospital in the event of accident injury caused to workman during the course of his duty. But the management refused and stoppe all the workmen from their job on 7th June, 1969. Hence the General Secretary Maharashtra Khan Kamgar Union. Bombay had raised a dispute serving a charged various demands such as (1) rise in wages to the workmen (2) half pay lead during the injury sick period (3) 12 days casual leave with full pay (4) 33 degarned leave with full pay (5) 20 days sick leave with full pay, (6) dangers allowance (7) gratuity (8) bonus etc. The Assistant Labour Commissioner forwarded the representation to the management and entered into conciliation proceedings. He also apprised Dr. Samant M.L.A. the President of the Union of management's offers but the union demanded higher rates of wages than the offered by the management. The conciliation ended in failure and have Government referred the above dispute for adjudication.
- 4. The employees went on strike and hence after the receipt of the reference of when notices were issued the parties settled the main demand about rise in we

- nd filed the terms of settlement in that respect on 22nd January, 1970 which as subsequently amended by the term of settlement dated 8th July 1970.
- 5. The union has by its statement of claim dated 28th December, 1970 contended hat at present there are no conditions of service by which the employees are sourced of sick leave or casual leave and other leaves. The work of the blasters hid drillers is hazardous. They are required to climb the peak of the hills to do he drilling and blasting and the demand about dangerous allowance was for comensating the risk involved. There is no scheme of gratuity in existence nor is here any scheme of provident fund. No bonus has been paid and all the demands add by them were reasonable and were in basic relation with the elementary anditions of service.
- 6. The employers have by their written statement opposed the demands and ave contended that the workers were governed by the Workmen's Compensation of 1923 and looking to the nature of the work in the industry and the condition of buor the question of giving earned leave, casual leave etc., does not arise. The emands are vague. The company also is not in a financial position to bear the order of granting the demands. The company had paid bonus to the workmen to the year 1967-68 and the demands now made should be rejected.
- 7. When the reference was kept for hearing the parties negotiated the demands oder dispute and settled some of them by their settlement dated 22nd February, 171 and some finally by the terms of settlement dated 26th February, 1971. They mid not settle demand No. 5 regarding sick leave with full pay and argued their intentions in that respect and requested the Tribunal to decide that issue on the leadings and the arguments and pass an award in terms of that decision and the tilements in respect of the other demands.
- 8. By the terms of settlement dated 19th January, 1970 filed on 22nd January, 170 and 8th July, 1970 they have agreed to the rates of wages of the various cateries of workmen and given retrospective effect to them from 19th January, 1970, as employer company has raised the wages and the workmen are satisfied and e terms of settlement dated 8th July, 1970 will form part of this award.
- 9. Demand Nos. 3 and 8 are settled under the settlement dated 22nd February. 71. The management has agreed to grant five days casual leave with full wages ich year. They have also agreed to pay to the workmen bonus at 6 per cent of wages drawn by the workmen during the financial years 1964-65 and 1966-67 and has further agreed to grant bonus at the rate of 7 per cent of the total earnings r the years 1967-68 upto the financial years 1970-71. The terms are reasonabled this settlement will form part of the award.
- 10. Lastly by the terms of settlement dated 26th February, 1971 they have nicably settled demands Nos. 2, 4, 7 and 9. Regarding demand No. 2 the manage ent has agreed that all workmen would be granted sick leave and paid wages ring the period of sickness in accordance with the provisions of the Workmen's impensation. Act and have further agreed to grant privilege leave of 15 days repear with a right to accumulate upto 30 dys. The management has introduced gratuity scheme and have further agreed to pay overtime wages as per the povisions of the Factories Act. 1948. The workmen have withdrawn the demand out dangerous allowance. These terms also are reasonable and I think it proper accept all the terms of settlement and pass an award. Accordingly, the terms settlement dated 19th January, 1970, 6th July, 1970, 22nd February, 1971, and the February, 1971 annexures A. B. C. and D. will form part of this award and I all now discuss the demand about 20 days sick leave with pay.
- 11. Shri Khanolkar the Legal Adviser of the Union has argued that by demand 5 the union has demanded 20 days sick leave with full wages. The condition have sick leave with full wages is an absolute necessity. The provisions of the ployees State Insurance Scheme are not applicable to the workmen and they entitled to get sick leave with full wages. Shri Balooch on behalf of the ployers has submitted that the employers have already agreed to the workers' mand No. 2 about half pay leave during injury and sick periods and consequently mand No. 5 does not survive and the workmen are not entitled to any additional' k leave, and the question is whether the demand of the workmen for sick leave hull pay is reasonable.

12. I have already stated the nautre of the work being done by the employeesby are quarry workers and have to do the work such as drilling, blasting breakthe stone etc. This quarry industry, is a recent development near about cities and the labour is not organised and there are no previous settlements or awards or case law about the disputes between the employees in this industry and the managements. There are also no instances about terms of settlement in other quarries. There is no evidence to show that in any other concern of quarries in the region the employees are give the benefit of sick leave with pay. However, it is not in dispute that in other industries in the region the workmen are given sick leave and it is not an absolutely new demand. It can be considered to be an essential condition of service and in my opinion the demand is not unreasonable.

13. It is not in dispute that the management has not so far made available any medical facility to the employees. The provision of sickness benefit under the Mines Act is not applicable to the workers and in my opinion the demand is justifiable. The workers in other industries are entitled to the benefit of the ESIS scheme but the workers concerned in this reference have no such advantage and in my opinion they are entitled to get sick leave with pay.

14. Shri Balooch on behalf of the employers has argued that when employees are getting the benefit of the Workmen's Compensation Act granting them sick leave with pay will be an additional advantage to which they are not entitled. I have already observed that the parties have settled demand No. 2 about leave during injury and sick period. The management has agreed to give them leave in accordance with the provisions of the scheme under the workmen's Compensation Act, 1923. However it cannot be ignored that the provision granting certain benefits to the workmen under the Workmen's Compensation Act is for a different purpose. The Workmen's Compensation Act does not provide leave for ordinary sickness, Moreover other employees getting certain benefits under the Employees State Insurance Act which are known as sick benefits are still entitled to leave during sickness. It has been observed in the ruling reported in 1963 1 LLJ 108 (Hindustan Times Ltd., and their workmen):—

"It could not be contended that in view of provisions of Employees' State Insurance Act, 1948, no provision need be made about sickness leave at all in the cases of workmen getting benefits under the provisions of the said Act. It is difficult to see however how the benefit that the workmen will get under the Act could affect the question of sickness leave being provided for the workmen. This act does not provide any leave to the workmen on the ground of sickness. It provides in section 46(I)(a) for periodical treatment of any insured person in case of his sickness if certified by a duly appointed medical practitioner. It is however clear that in providing for periodical payments to an insured worker in case of sickness (sickness benefit) or for medical treatment or attendance to him or the members of his family the Legislature did not intend to substitute any of these benefits for the workmen's right to get leave on full pay on the ground of sickness."

However. I do not think that by agreeing to grant the benefit under the provisions of the Workmen's Compensation Act the employers are doing any favour to the workers as it is incumbent upon them to comply with the provisions of the Workmen's Compensation Act. Moreover it cannot be ignored that the benefits under the Workmen's Compensation Act are available to the employees only when there is an injury caused to the workmen by accident in the course of employment of the contracts any disease which is specified as an occupational disease peculiar to the employment. Demand No. 2 is in respect of half pay leave during injury or sick period while demand No. 5 is for general sick leave with pay. The two demands are different and considering the circumstances the demand is justifiable.

15. However, I do not think that granting 20 days sick leave will be proper. By the terms of settlement the management has already agreed to grant the workmen other leaves and in my opinion paid sick leave for a period of 7 days in a year will be reasonable and the workmen will be entitled to accumulate the sick leave upto 28 days. Hence my award accordingly.

No order as to costs.

(Sd.) A. T. ZAMBRE,
Presiding Officer.
Central Government Industrial Tribunal

#### ANNEXURE 'A'

# BEFORE SHRI A. T. ZAMBRE, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE CGIT No. 7 of 1969

Employers in relation to:

M/s. Kherani Construction & Co. Bombay.

Versus

Their Workmen

May it please the Hon'ble Tribunal.

The parties to the above dispute beg to state that they have reached a partial settlement over the demands under reference and threfore it is prayed that Part-I Award may please be made in terms of the settlement.

#### Terms of Settlement

That all the workmen who are in the employment of M/s. Kherani Construction and Co. Bombay and who were on strike from 9th June, 1969 shall immediately resume their normal duties as and when they are called by the employers and they will be given the following rates of wages from the date of their resumption of duties.

. No.	Cat	egory o	f wo	kme	n		Rates Rs. Ps.	
ı.	Topkar						5.25 per truck	
2.	Driller						8. 50 per day.	
3.	Blaster						8.50 per day.	
4.	Loader						3.15 per truck	
5.	Loading/	ınloadir	ng				4.25 per truck	
6,	Loading !	Rawali.					2·25 per truck	
7-	Crusher I	eeder					2·25 per truck	
8.	Oilman						4.75 per day.	
9.	Unskilled	Male N	Aazdo	or			4.00 per day.	
10.	Unskilled	Female	: Maz	door			3. 50 per day.	

This settlement shall come in force on the date of signing and shall remain binding upon the parties for a period of one year and shall continue to remain binding till it is terminated as required under the law.

Dated this 19th day of January 1970.

Representing Employees:

Representing Employers.

KRISHNA JOSHI,

SATTAR ISSA KHERANI,

Secertary Maharashtra Khan Kamgar Union, Partner, M/s. Kherani Construction & Co.

Bombay.

Bombay.

#### ANNEXURE 'B BEFORE SHRI A. T. ZAMBRE, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL BOMBAY

REFERENCE CGIT No. 7 or 1969

Employers in relation to:-

M/s. Kherani Construction & Co., Bombay.

The workmen employed under it

May it please the Hon'ble Tribunal.

The parties to the above dispute beg to state that they have reached a partial settlement over demand No. I mentioned in the Schedule to the reference, and, therefore, it is prayed that Part I Award may please be made in terms of settlement.

#### Terms of Settlement

That all the workmen who are in the employment of M/s. Kherani Construction and Co., Bombay shall be paid the following revised wages with retrospective effect from 19th January, 1970.

Category				•	E	xisting rates of wages	Revised rates of wages
Topkar (Rawali) Driller Blaster Loader	•	:	:		:	Rs. 4.75 per truck Rs. 7.50 per day Rs. 7.50 Do. Rs. 2.87 per truck	5.25 per truck 8.50 per day 8.50 per day 3.15 per truck
Loading/Unloading Loading Rawali. Crusher Feeder. Oilman Unskilled Male Maz Unskilled Female M			•	· · · · ·	•	Rs. 3.75 per truck. Rs. 1.87 per truck Rs. 2.00 Do. Rs. 4.00 per day Rs. 3.00 Do. Rs. 2.31 Do.	4.25 per truck. 2.25 Do. 2.25 Do. 4.75 per day 4.00 Do. 3.50 Do.

In view of this settlement the demand of the union at serial No. I to the schedule of the order dated 1st December, 1969 is hereby fully satisfied and the union does not press for the said demand of raise in wages.

This settlement shall come in force on the date of signing and shall remain binding upon the parties for a period of 3 years and shall continue to remain binding till it is terminated as required under the law.

Dated this 8th day of July, 1970.

Representing Employees:

(Sd.) Shri G. R. KHANOLKAR,

Secretary,

Maharashtra Khan Kamgar Union, Bombay. Representing Employers:

(Sd.) Shri S. E. KHERANI, Partner,

M/s. Kherani Construction & Co-Bombay.

#### Annexure 'C'

# **BEF**ORE SHRI A. T. ZAMBRE, PRESIDING OFFICER, CENTRAL GOVERNMEN: INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE CGIT No. 7 of 1969

Dispute between the employer in relation to:-

M/s. Kherani Construction & Co. Stone Metal & Building Materials Suppliers (Quarry) Mohali Village, Bombay-72.

#### AND

The workmen employed under the said company.

May it please the Hon'ble Tribunal.

The parties to the dispute have reached a partial settlement over the demand under reference and pray that an award may please be made in terms of the following settlement.

### DEMAND NO. 3:-Casual Leave

It is agreed that all the workmen shall be granted 5 days casual leave with ful wages each year. Casual leave of two days at a time shall be allowed to be availed of. Casual leave with prior permission shall be allowed to be prefixed or suffixed by a weekly off or any paid festival holiday.

#### DEMAND NO. 8:-Bonus

It is agreed that all the workmen shall be paid bonus at 6 p ercent of the wage earned by the workmen during the relevant financial years commencing from 1964 65 to the year 1966-67.

It is further agreed that for the years 1967-68 upto the financial year 1970-71, the company further agrees to make payment of bonus to the workmen at the rate of 7 per cent of the total annual earnings earned by the workmen during the relevant financial years.

That the conditions stipulated under the provisions and demands in respect of which the parties have not been able to arrive at a settlement will remain in operation for a period of three years and that it shall be terminated after the expiry of the said period.

That the settlement shall come into force from the date of signing of the same.

for Kherani Construction & Co. Stone, Metal & Bldg., Materials Suppliers (Quarry), Bombay.

-

for Maharashtra Khan Kamgar Union, Bombay.

Bombay, dated 22nd February, 1971.

#### ANNEXURE 'D'

BEFORE SHRI A. T. ZAMBRE, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE CGIT No. 7 of 1969

Dispute between the employers in relation to:—M/s. Kherani Construction & Co.
Stone Metal and Building Materials
Suppliers (Quarry).

Ant

The workmen employed under the Company.

May it pleased the Honourable Tribunal,

The parties to the dispute have reached a partial settlement over the demands nder reference and pray that an award may please made in terms of settlement.

#### Terms of Settlement

EMAND NO. 1:-Rise in Wages.

It is agreed that all the workmen shall be paid their wages as per the settlement dated 19th January, 1970, which has been already filed before this Tribunal n 22nd January, 1970.

EMAND NO. 2:—Half Pay Leave during injury or sick Period.

It is agreed that all the workmen shall be granted sick leave and paid wages uring the period of sickness in accordance with the provisions and scheme oder the Workmens' Compensation Act 1923.

EMAND NO. 3:-12 days casual leave with full pay.

It is agreed that all the workmen shall be granted 5 days casual leave with lages during the courses of an year as per the settlement dated 22nd February, 171 which has been already filed before this Tribunal on 22nd February, 1971.

EMAND NO. 4:-33 days earned leave with full pay.

It is agreed that all the workmen shall be granted privilege Leave of 15 and wages per year and the same shall be allowed to be accumulated up 30 days.

EMAND NO. 5:—20 days Sick Leave with full pay.

The parties to the Dispute will make their respective submissions before the ribunal in favour or against the above said demand.

EMAND NO. 6:-Dangerous Allowance.

This demand is withdrawn by the union with the liberty to raise proper and ecific demand, if and when necessary.

EMAND NO. 7:- Gratuity.

The management shall introduce the following Gratuity scheme with immente effect.

(a) On death or disability or further incapacity to work due to injury or socient while in service of the Company.—15 days average wages for every complet-year of continuous service.

- (b) On resignation termination or retrenchment after 10 years' service.—Same as clause (a) above.
- (c) On termination of service for any reason whatsoever after 7 years' continuous service.—7 days average wages for every completed year of continuous service.
- (d) On termination of service for any reason whatsoever after 8 years of continuous service.—7 days average wages for every completed year of continuous
- (e) On termination of service upto 10 years of continuous service for reason whatsoever.—7 days average wages for every completed year of continuous service
- (f) On dismissed for misconduct as per clauses (c), (d) and (e) above.—Subjecto the condition that amount of financial loss caused to the employer due to such misconduct, shall be deducted out of the amount of gratuities.

The phrases or words "continuous Service", "average wages" and "complete year of service" used hereinabove shall have the same meaning as defined or enacted under Industrial Disputes Act 1947.

DEMAND NO. 8: -20 per cent Bonus from years 1962 to 1969.

That the demand of Bonus for the years 1962 and 1963 is hereby withdrawn Bonus for the years 1964-65 to 1970-71 shall be paid to the workmen in accordance with settlement dated 22nd February, 1971, which has been already filed before the Tribunal.

DEMAND NO. 9: - Overtime.

All the workmen shall be paid overtime wages as per the provisions of Factorie. Act 1948.

This settlement shall come in force as per the terms agreed upon by the partie as per the settlements dated 19th January, 1970 and 22nd February, 1971 in respec of the demands mentioned in the above said settlement while rest of the terms shall come in force in the date of beginning of the settlement and remain in force for period of 23 years from the date of signing and shall remain in operation till it is terminated in accordance with the settlement.

Dated this 26th day of February, 1971.

S. E. KHERANI.

For Kherani Construction

& Co. Partner.

KRISHNA JOSHI.

For Maharashtra Khan Kamgar Union, Bombay. General Secretary.

[No. 36(48)/69-LR-IV.]

#### (Department of Labour and Employment)

**ORDERS** 

New Delhi, the 19th December 1970

S.O. 1438.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the 52 collieries in Bihar specified hereunder in Schedule I and their workmen in respect of the matter specified in the Schedule II hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 2), Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE I

#### S. No. Name of the Colliery.

- Central Joyramdin Colliery, P.O. Nawagarh (Dhanbad), Junkundar Colliery, P.O. Chirkunda (Dhanbad). Central Kooridin Colliery, P.O. Katrasgarh (Dhanbad). Central Kujama Colliery, P.O. Jharia (Dhanbad). Dhori Colliery, P.O. Bermo (Hazardagh). 1.

#### S. No.

#### Name of the Colliery

Huriladih Colliery, P.O. Bhutgoria (Dhanbad).

Jealgora Govindpur Colliery, P.O. Katrasgarh (Dhanbad).

Junkundar Colliery, P.O. Chirkunda (Dhanbad).

Khas Bhaggatdih Colliery, P.O. Jharia (Dhanbad).

New Standard Lodna Colliery P.O. Jharia (Dhanbad).

Khas Dharmaband Colliery, P.O. Malkera (Dhanbad).

Liberty Colliery, P.O. Dhansar (Dhanbad).

North Domoda Colliery, P.O. Nudkhurkee (Dhanbad).

New Bansjora Colliery, P.O. Bansjora (Dhanbad).

New Lakurka Colliery, P.O. Katrasgarh (Dhanbad).

New Selected Dhori Colliery, P.O. Bermo (Hazaribagh).

Selected Jharia Colliery, P.O. Jharia (Dhanbad).

Bhalgora Colliery, P.O. Jharia (Dhanbad).

Dhansar Colliery of M/s. Dhansar Coal Company Limited, P.O. Dhansar (Dhanbad). 11. 12. 13. 14. 15. 16. 17. 18. (Dhanbad).
Patherdih Colliery, P.O. Patherdih (Dhanbad).
Dhansar Colliery of M/s. Pure Dhansar Coal Company, P.O. Dhansar Dhansar Colliery of M/s. Pure Dhansar Coal Company, P.O. Dhansar (Dhanbad).
Kalithan Jeenagora Colliery, P.O. Khas Jeenagora (Dhanbad).
Diamond Tisra Colliery, P.O. Khas Jeenagora (Dhanbad).
Pure Selected Goluckdih Colliery, P.O. Jharia (Dhanbad).
Sitanala Colliery, P.O. Patherdih (Dhanbad).
Sitanala Colliery, P.O. Patherdih (Dhanbad).
Simla Bahal Colliery, P.O. Jharia (Dhanbad).
South Tisra Colliery, P.O. Khas Jeenagora (Dhanbad).
New Jeenagora Colliery, P.O. Khas Jeenagora (Dhanbad).
New Jeenagora Colliery, P.O. Khas Jeenagora (Dhanbad).
Tisra Colliery of M/s. Dhanji Deoji, P.O. Khas Jeenagora (Dhanbad).
Ower Upper Jharia Colliery, P.O. Jharia (Dhanbad).
Central Goluckdih Colliery, P.O. Jharia (Dhanbad).
West Katrasgarh Colliery, P.O. Katrasgarh (Dhanbad).
Barora Colliery, P.O. Nudkhurkee (Dhanbad).
Barora Colliery, P.O. Jharia (Dhanbad).
Jharia Khas Colliery, P.O. Jharia (Dhanbad).
Kalyani Selected Kargali Colliery, P.O. Bermo (Hazaribagh).
Pipradih Colliery, P.O. Gomia (Hazaribagh).
Mohriband Kujama Colliery, P.O. Jharia (Dhanbad).
Ganji Dossa Kujama Colliery, P.O. Jharia (Dhanbad).
Pandebera Central Kujama Colliery, P.O. Jharia (Dhanbad).
Pure Bhuggatdih Colliery, P.O. Katrasgarh (Dhanbad).
National Angarpathra Colliery, P.O. Katrasgarh (Dhanbad).
Katras New Colliery, P.O. Bermo (Hazaribagh).
Selected Dhori Colliery, P.O. Bermo (Hazaribagh).
Selected Dhori Colliery, P.O. Bermo (Hazaribagh).
Selected Dhori Colliery, P.O. Katrasgarh (Dhanbad).
Maheshpur Colliery, P.O. Katrasgarh (Dhanbad).
Maheshpur Colliery, P.O. Katrasgarh (Dhanbad).
Ambapocha Colliery, P.O. Katrasgarh (Dhanbad). 21. (Dhanbad). 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50.

#### SCHEDULE II

"Whether the action of the managements of the Collieries in Bihar (specified in Schedule I) in refusing the demands of the Colliery Mazdoor Sangh, Dhanbad, Koyla Mazdoor Panchayat, Jharia, Bihar Koyla Mazdoor Sabha, Dhanbad and Central Alkusa (Gondudih) Colliery Workers Union, Post Office Kusunda, District Dhanbad for implementation of the accepted recommendations of the Coal Wage Board regarding wages, dearness allowance, annual increments, categorisastion, sick benefits and payment of back wages arising out of delayed or partial implementation of the accepted recommendations of the Coal Wage Board is justified? If, not to what relief are the workers and the same and the same and the workers and the same and the same and the same and the workers and the same an

### (अस और रोजवार विभाग)

### संवेश

### नई दिल्ली, 19 दिसम्बर, 1970

कां बार 1438. यत: केन्द्रीय सरकार की राय है कि इससे उपाबद्ध प्रनुसूची 2 में विनिर्दिष्ट विषयों के बारे में धनुसूची 1 में विनिर्दिष्ट बिहार की 52 कोलियरियों से सम्बद्ध नियोजकों धीर जनके कर्मकारों के बीच एक श्रीद्योगिक विवाद विद्यमान है;

श्रीर यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

ग्रतः, ग्रब, ग्रौद्योगिक विवाद ग्रधिनियम, 1947 (1947 का 14) की घारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतदद्वारा उक्त विवाद को उक्त ग्रधिनियम की घारा 7-क के ग्रधी । गठित केन्द्रीय सरकार ग्रौद्योगिक, ग्रधिकरण, (संख्या 2), धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

### ग्रनुसूची 1

<b>क्र</b> मांक	कोलियरी का नाम
1	2
1	सेन्द्रल जयराम डिह कोलियरी, पो० श्रो० नावागढ़ (धनबाद)
2	सेन्द्रल किरकेंद्र कोलियरी, पो० श्रो० कुसुन्डा (धनबाद)
3	सेन्ट्रल कुरीडिह कोलियरी, पो० ग्रो० कतरासगढ़ (धनवाद)
4	सेन्द्रल कुजमा कोलियरी, पो० म्रो० झरिया (धनबाद)
5	<b>घोरी को</b> लियरी, पो० <b>ग्रो० बे</b> रमो (हजारोवा <b>ग)</b>
6	हुरिलाडिह कोलियरी, पो॰ स्रो॰ भुतगोरिया (धनबाद) ।
7	जीलगोरा गोविन्दपुर कोलियरी, पो० ग्रो० कतर सगढ़ (धनवाद) ।
8	जनकुन्डार कोलियरी, पो० म्रो० चिकुन्डा (शतबाद) ।
9	खास भुगतडिह कोलियरी, पो० स्रो० झरिया (धनवाद) ।
10	न्यू स्टेंडर्ड लोदना कोलियरी, पो० भ्रो० झरिया (धनाद) ।
11	खास धरमबंध कोलियरी, पो० ग्री० मलकेरा (धनबाद) ।
12	लिबर्टी कोलियरी, पो० ग्रो० धनसर (धनबाद) ।
13	नोर्थ डोमोडा कोलियरी, पो० ग्रो० नुडखुर्की, (धनवाद) ।
14	<b>वंसजोरा पो० ग्रो० वंसजोरा (धनवाद)</b> ।
15	न्यु सकुररका कोलियरी, पो० ग्रो० कतरसगढ़ (धनबाद) ।
16	न्यू सेलेक्टेंड घोरी कोलियरी, पो० घो० बेरमी (हजारीबाम)।
17	सेमेक्टर मरिया कोशियरी, पो० घो० मरिया (धनबाद) ।
18	असनोरा कोलियरी; पो० मो० सरिया (धनवाद) ।
19	वनसर कोलिसरी बाफ मैससे धनसर कोल कम्पनी लिमिटेड, पो० श्री० धनसर (बनसर
20	पायरीहर कोलियरी, पी० भी० पायरीहरू (धनवाद) ।

2

1

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धनसर कोलियरी आफ मैससे प्योर धनसर कोल कम्पनी पो० ग्रो० धनसर (धनबाद) ।
21
     कालीयान जीनागोरा कोलियरी, पो॰ म्रो॰ खास जीनागोरा (धनबाद) ।
    डाइमंड तिसरा कोलियरी, पो० ग्रो० खास जीनागोरा (धनबाद) ।
    प्योर सेलेक्टेंड गोलकडिह कोलियरी, पो० ग्रो० सरिया (धनबाद) ।
     यनियन ग्रंगरपाथरा कोलियरी, पो० ग्रो० सिजवा (धनवाद) ।
2.5
    सितानाला कोलियरी, पो० भ्रो० पायरिंहह (धनबाद) ।
    सिमला बहल कोलियरी, पो० स्रो० झरिया (धनवाद) ।
     साउथ तिसरा कोलियरी, पो० ग्री० खास जीनागीरा (धनबाद) ।
28
     न्य जा गगोरा कोलियरी, पो० श्रो० खास जीनागोरा (धनबाद)।
29
    तीसरा कोलियरी आफ मैसर्स धनजी डम्रोजी, पो० म्रो० खास जीनागोरा (धनबाद) ।
30
     लोग्नर ग्रंपर झरिया कोलियरी, पो॰ ग्रो॰ झरिया (धनबाद) ।
     सेन्टल गोलुकडिह कोलियरी, पो० ग्रो० झरिया (धनबाद) ।
     विकटरी कोलियरी पी० ग्रो० धनसर (धनबाद) ।
    बेस्ट कतरासगढ कोलियरी, पो० ग्रो० कतरासमढ (धनबाद) ।
     बरोरा कोलियरी, पो० ग्रो० नडखर्की (धनबाद) ।
     सेन्ट्रल केशलपुर कोलियरी, पो० ग्रो० कतरासगढ़ (धनबाद) ।
36
     झरिया खास कोलियरी, पो० ग्रो० झरिया (धनबाद) ।
37
     कल्याणी सेलेक्टेड करगली कोलियरी, पो० भ्रो० बेरमो (हजारीबाग)।
38
     पिपराडिह कोलियरी, पो० म्रो० गोमिया (हजारीबाग)।
39
     मोहरीबंध कुजमा कोलियरी, पो० ग्रो० झरिया (धनबाद) ।
40
     गनजी डोस्सा कूजमा कोलियरी, पो० भ्रो० झरिया (धनबाद) ।
41
     पन्डेंबेरा सेन्ट्ल क्जमा कोलियरी, पो० ग्रो० झरिया (धनबाद) ।
42
     प्योर भगतडिह कोलियरी, पो० ग्रो० झरिया (धनबाद) ।
43
     सोनारडिह कोलियरी, पो० ग्रो० कतरासगढ़ (धनबाद) ।
44
     नेमनल ग्रंगरपायरा कोलियरी, पो० ग्रो० कतरासगढ (धनबाद) ।
45
     कतरास न्य कोलियरी, पो० भ्रो० कतरासगढ़ (धनबाद)।
     खास घोरी कोलियरी, पो० भ्रो० बेरमो (हजारीबाग) ।
     सेलेक्टेड धोरी कोलियरी, पो० मो० बेरमो (हजारीबाग) ।
     वैस्ट गोपालिचुक कोलियरी, पो० ग्रो० कुसुन्डा (धनबाद) ।
50
     महेशपूर कोलियरी, पो० ग्रो० कतरासगढ़ (धनबाद)।
51
     सिनिडिह कोलियरी, पो० भ्रो० कतरासगढ (धनवाद)।
52
     अम्बापीचा कोलियरी, पौ० भो० बेरमी (हजारीबाग)।
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## भनुसुची 2

"ग्या मजदूरी महुंगाई भरों, वाविक येतन-वृद्धियों, प्रश्नीकरण, बीमारी प्रसुशिधायों के सुम्बन्ध में भीर होयला मजदूरी बोर्ड हैं। ह्वीकृत सिफारिशों के विल स्वत या घांशिक कार्यान्ययत से उत्पन्न मिछली मजदूरी के संशाय के संस्थाय में कोयला मजदूरी बोर्ड की स्वीकृत सिफारियों की कार्यान्यत करने की मजदूर संख, बनवाद, कोयला मजदूर पंचायत, वार्या, विकार कीयका सर्वाप सवा बनवाद और सेन्द्रन बल्डमी निकोशिश

वर्कस यनियन पोस्ट त्राफिस कू । डा, जिला धनबाद कः म गों की मो नामंजूर करने की बिहार न की (अनुसूवी 1 में विनिर्दिष्ट) कोलियरिज के प्रबन्धतन्त्रों की कार्यवाही न्यायोचित है ? यदि नहीं तो कर्मकार किस अनुतोष के हकदार हैं।

[संख्या 1/23/69-एल० भार० 2]

#### New Delhi, the 6th January 1971

S.O. 1439.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Tisra Colliery of Messrs Diamond Coal Company Limited, Post Office Jharia, District Dhanbad, and their workman Shri Mithu Singh in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 2) Dhanbad, constituted under section 7A of the said Act.

"Whether the action of the management of Tisra Colliery of Messrs Diamond Coal Company Limited, Post Office Jharia, District Dhanbad, in terminating the services of Shri Mithu Singh, Night Guard with effect from the 16th July, 1970 is justified? If not, to what relief the workman is entitled?"

[No. 2/179/70-LR.II.]

## नई दिल्ली, 6 जन ररी 1971

का० मा० 1439-पतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध मनसूची में विनि-दिष्ट विषयों के बारे में मैससं डायमन्ड कोल कम्पनी लिमिटेड, डाकघर, झरिया, जिला धनबाद की तिसरा कोलियरी के प्रबन्धतत से सम्बद्ध नियोजकों और उनके कर्मकार श्री मिथ सिंह के बीच एक भ्रौद्योगिक विवाद विद्यमान है;

ग्रीर यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वाछ-नीय समझती है;

म्रतः, म्रव, मौद्योगिक विवाद मधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा उन्त विवाद को उन्त ग्रधिनियम, की धारा 7-क के ग्रधीन गठित केन्द्रीय सरकार भीद्योगिक ग्रधिकरण (संख्या 2), धनबाद को न्यायनिणयन के लिए निर्देशित करती है।

#### ग्रनसूची

"क्या मैससं डायमन्ड कोल कम्पनी लिमिटेड, डाकघर, झरिया, जिला **धनबाद क**े तिसरा कोलियरी के प्रबन्धतंत्र की श्री मिय सिंह, रात्रि गार्ड की 16 जलाई 1970 से सेवाऐं समाप्त करने की कारवाई न्यायोचित है ? यदि नहीं, तो कर्मकार किस किस अनुतोष का हकदार है ?"

[सं॰ 2/179/70—एल॰ म्रार॰—2]

## New Delhi, the 11th Jaunary 1971

S.O. 1440.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Nowrozabad Colliery of Associated Cement Company Limited, Post Office Nowrozabad Colliery, District Shahdol (Madhya Pradesh) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication:

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal. Jabalpur, constituted under section 7A of the said Act.

#### SCHEDULE

"Whether the action of the management of Nowrozabad Colliery of Associated Cement Company Limited, Post Office Nowrozabad Colliery, District Shahdol, in refusing sick leave wages to their Badli workers is justified? If not, to what relief the said workers are entitled?"

[No. 1/59/70-LRII.]

## नई िल्ली, 11 जनवरी, 1971

का० ग्रा० 1440—यत: केन्द्रीय स कार की राय है कि इससे उपाबद्ध ग्रनसूची में विनिर्दिष्ट विषयों के बारे में एसोसिपेटिड सोमेंट कम्पनी, लिमिटड, डाकवर नारोजाबाद कोलियरी, जिला शहडोल (मध्य प्रदेश) की नौरोजाबाद हो यिरी के प्रबन्ध नन्त्र से सम्बद्ध नियोजकों ग्रौर उनके कर्मकारों के बीच एक ग्राह्मीणक विवाद विद्यमान है;

श्रीर यतः केन्द्रीय सरकार जक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

श्रतः, श्रवं, श्रं द्योगिक विवाद ग्रिधिनियमं, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतदद्वारा उक्त विवाद को उक्त ग्रिधिनियमं की धारा 7-क के श्रधीन गठित केन्द्रीय सरकार ग्रीद्योगिक श्रिधकरण जबलपुर को न्यायनिर्णयन के लिए निर्देशित करती है।

### भन् नुची

"क्या ए तोतिएटिड सीमेंट कम्पनी लिमिटेड, डाकघर नौरोजाबाद कोलियरी, जिला शहडोल की नौरोजाबा कोलियरी के प्रबन्धतन्त्र का ग्रपने बदली श्रिमिकों को बीमारी छुट्टी की मजदूरी देने से इनकार करने की कार्यवाही न्यायोचित है ?यदि नहीं, तो उक्त, कर्मकार किस ग्रनतोष के हकदार हैं '?''

[संख्या 1'59/70-एल० झार० 2]

#### New Delhi, the 13th January 1971

S.O. 1441.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in lelation to the management of Amlabad Collie v of Messrs Oriental Coal Company Limited, Post Office Bhowra, Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 2), Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

- (1) Whether the action of the management of Amlabad Colliery of Messrs
  Oriental Coal Company Limited Post Office Bhowra (Dhanbad) in
  terminating the service of Shri Gobardhan Chatterjee, Shot-firer Mazdoor with effect from the 24th April, 1970 is justified? If not, to
  what relief the concerned workman is entitled?
- (2) Whether the action of the Management of Amlabad Colliery of Messrs
  Oriental Coal Company Limited, Post Office Bhowra (Dhanbad) in
  stopping Shri Thakur Das Mahato, Electric Cap Lamp Fitter from
  work with effect from the 16th July, 1970 is justified? If not, to what
  relief the concerned workman is entitled?

  [No. 2/175/70-LRIL]

## नई दिल्ली, 13 जनवरी, 1971

का० ग्रा० 1441.—यत: केन्द्रीय सरकार की राय है कि इससे उपाबद्ध ग्रन्स्ची में विनिर्दिष्ट, विषयों के बारे में मैसर्स ग्रारियटेल कील कम्पनी लिमिटेड, डाकघर भीरा, धनबाद की ग्रामलाबाद ोलियरी के प्रबन्धतन्त्र से सम्बद्ध नियोजकों ग्रीर उनके कर्मकारों के बीच एक ग्रीद्योगिक विवाद विद्यमान है;

भौर यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निदशित करना वांछनीय समझती है;

अतः, अब, श्रौद्योगिक विवाद ग्रिधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्पियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा उक्त विवाद को उक्त ग्रिधिनियम को धारा 7-क के श्रधीन गठित केन्द्रीय सरकार श्रौद्योगिक ध्रिधकरण, (संख्या 2) धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

## ग्रनुसूची

"क्या मैसर्स ग्रारियटल कोल कम्पनी लिमिटेड, डाकघर भौरा (धनबाद)की ग्रामलाबाद कोलियरी के प्रबन्धतन्त्र की श्री गोवर्धन चटर्जी, शाट फायरर मजदूर की सेवा को 24 ग्रप्रैल, 1970 से पर्यवसित करने की कार्यवाही न्यायोचित है ? यदि नहीं, तो सम्बन्धित कर्मकार किस ग्रमतोष का हकदार है।

क्या मैसर्स ग्रारियटल कोल कम्पनी लिमिटेड, डाकवर भौरा (धनबाद)के प्रबन्धतन्त्र की श्री ठाकुर दास महतो, इलैक्ट्रिक कैप लैम्प फिटर को 16 जुलाई 1970 से काम करने से रोकने की कार्यवाही न्यायोजित है, यदि नहीं, तो सम्बन्धित कर्मकार किस अनुतोष का हकादार है ?

[संख्या 2/175/70-एल० भ्रार० 2]

#### New Delhi, the 26th March 1971

S.O. 1442.—Whereas the Central Government is of opinion that an industric dispute exists between the employers in relation to the management of Nev Govindpur Colliery, Post Office Katrasgarh, District Dhanbad, and their work men in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the saidispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), th Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 2) Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

"Whether the action of the management of the New Govindpur Colliery Post Office Katrasgarh, District Dhanbad, in retaining the following 96 miners with effect from the 10th June, 1968 in 5 Bottom incling in view of the prevailing working conditions there, is justified? I not, to what relief are the workmen concerned entitled?"

Sl. No.	Name of worker	Designation
1.	Sri Bara Kishun Chamar	Miner
2.	Brihaspatia Chamar	-do-
3.	" Dhanjia Chamar	<b>-d</b> o-
4.	" Vishwnath Chamar	
5.	" Mukund Turi	-do- -do-
6.	Tokhia Kumhar	-do-
Ž.	"Chhota Mangal Chamar	-do-
8.	" Mouji Chamar	-do-

SR. No.	Name of worker	Designation
9. Sri	Shyamlal Chamar	-do-
0. ,,	Panchu Chamar	-do-
1. ,,	Bikho Chamar	-do-
2. ,,	Bara Moti Chamar	-do-
3. ,,	Bara Banwari Chamar	-do-
4. ,,	Mitho Chamar	-do-
5. ,,	Bara Sukhdeo Chamar	-do-
6. , ,,	Lalji Chamar	-do-
7. "	Chandulal Manjhi	-do-
18. "	Mangal Mahto	-do
9. "	Khagu Mahto	-do-
20. "	Jairam Mahto	-do-
21. "	Toppa Mahto	-do-
22. ,,	Ledo Mahto, S/o Jado Mahto	-do-
23. ,,	Bhukhal Mahto	-do-
24. ,,	Janki Mahto	-do-
25. "	Mohan Mahto	-do-
26. ,,	Shyamlal Mahto	-do-
27. "	Raghunath Mahto	-do-
28. "	Govind Mahto	-do-
29. ,,	Ganesh Mahto	-do-
30. "	Hari Singh	-de
21	Propri Dhohi	-do-
32. "	- Bihani Thahi	-do
33. ,,	Damochwan Dhahi	-do
34. "	Dilawar Mia	-do
35. ,,	Haivet Mie	-do
36.	Tilku Chamar	-do-
37. ,,	Firms Chaman	-do
38. ,,	Ch Mati Chaman	-do
30	Ch Phydon Chaman	-do
40.	Ch Cuban Chamas	ob-
Ä1 "	Nanhu Chaman	-do -do
42.	Ch Vishon Chaman	-do
<b>4</b> 9 ′′	Ch Banwari Chamar	-do
44	Kamdaa Chamar	-do
45 °	Chhadi Champa No 2	-do -do
AR	Doman Chaman	-do
47	Br Panchi Chaman	-dc -d
<b>4</b> Ω '	Khaman Chaman	-do
40	Chh Chatu Chamar	
50	Parmacharas Chamas	-dc
51	Poton Chaman	-de
59	Dr Duniel Chemen	-de
53	Balki Chaman	( 
54	Suku Chaman	-do -do
55	Punne Chaman	
56	Philiphani Chaman	-de
57	Machan Chaman	-dc
58	Pandy Champs	-d
59		-di
RO '	Photo Chama.	- <u>d</u>
R1	Whanks Make	-do
62 '	Dr. Domini Chaman	-d <sub>2</sub>
ี คร	D	( -2
64	Tamanhaman Ohaman	-d
65		-de
66 '	Dabi Chan	-d
67	O	-đ:
68 '	Down or Change	- <b>d</b> -
69	, Puna Chamar	-d <sub>c</sub>
70	, Sambhu Bowri	ત્
71	Hari Bowri	- <b>ģ</b>
72	B. Banoo Chamar	-તું
73	" Madhuwa Chamar	-વૃં
74	. Ledwa Chamar	-d
75.	Ghunia Chamer	-d
76	Chh. Somra Chamar	· •
	., Latlaha Chamar	. •d

SI. No	•	Name of worker	Designation
77.	Sri	Budhwa Chamar	Miner
78.	**	Jharia Chamar	-do-
79.	**	Kiti Chamar	-do-
80.	**	Bhakru Chamar	-do-
81.		Br. Churaman Mahto	-do-
82,	. **	Banulal Das	-do-
23	"	Chh. Jagroo Chamar	-do-
83. 84. 85.	**	Bara Mangra Chamar	-do-
08	**	Dara Mangra Chamar	-do-
00,	**	Haria Chamar	-do-
86.	**	Degwa Chamar, S/o Pilia Chamar	
87.	**	Tekba Chamar, S/o Manika Chamar	-do-
88.	**	Ch. Ruplal Chamar	-qo-
89.	,,	Indra Chamar	-go-
<b>90</b> .	"	Thakur Manjhi	-do-
91.	,,	Benga Bowri	-do
91. 92.	"	Jhamta Chamar	-¢o-
93.		Ramlal Chamar	-do-
94.	**	Churaman Chamar	-do-
95.	**	Mohan Chamar	-do-
	**		-do-
96.	**	Prasadi Chamar	-40-

[No. 2/135/68-LR.IL] KARNAIL SINGH, Under Secr.

## नई दिल्ली, 26 मार्च 1971

कां भा । 1442 .- यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनि-विष्ट विषयों के बारे में न्यु गोविन्दपूर, कोलियारी, डाकघर कतरसगढ़, जिला धनबाद के प्रबन्धतैव से संबद्ध नियोजकों ग्रीर उनके कर्मकारों के बीच एक ग्रीबोगिक विवाद विद्यमान है;

ग्रीर, यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

मत: म्रव. मंदोगिक विवाद मिधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एत-दद्वारा उक्त विवाद को उक्त ग्रधिनियम की धारा 7-क के ग्रधीन गठित केन्द्रीय सरकार भौद्योगिक श्रधिकरण (नं 2) धनबाद का न्यायनिर्णयन के लिए निर्देशित करती है।

## ग्रनुसूची

"क्या न्य गोविन्दपुर, कोलियारी, डाकघर, कतरसगढ़, जिला धनबाद के प्रबन्धतंत्र द्वारा निम्नलिखित 96 खनिकों को 10 जुन, 1968 से बाटम इन्क्लाइन, में, वहां व्याप्त ाम की दशात्रों को ध्यान में रखती हुई काम पर लगाए रखना न्यायोचित समझती है ? यदि नहीं, तो संबंधित कर्मकार किस अनुतोष के हकदार हैं ?

क्रमांक	श्रमिक का नाम					श्वनिक
1		2				3
1	श्री बाराकिशुन चमार	•	•	•	•	. चनिक
2	,, वृहस्पतिया चमार		•		•	. वानिक
3	" धनजिया चमार		•		•	
4	" विश्वनाथ चमार	•		•	•	

1			2		÷		3
5	श्री मुकुन्द तुरी		•	•			खनिक
6	,, संखिया कुम्हार	•				•	,,
7	"छोटा मंगल चमार		•				 H
8	" मौजी चमार					•	**
9	,, श्याम लाल चमार		•			•	#
10	,, पंचू चमार	•	•				<b>7</b>
11	"भिखो चमार				•	•	29-
12	" बारा मोती चमार		•	•		•	<b>))</b>
13	,, बारा बनवारी <b>पमा</b> र		•				**
14	" मिठो चमार		•	•			"
15	,, बारा सुखदेव चमार		•	•	•	•	#.
16	,, लालजी चमार		•	•	•		,,
17	,, चन्दूलाल माझी		•	•			235
18	"श्री मंगल महतो	•	•	•		•	79
19	,, खागू महतो		•	•	•	•	11-
20	,, जयराम महतो			•	•	•	"
2 1	,, टोप्पा महतो	•	•	•	•	•	"
22	"लेडो महतो सुपुत्र श्री	जिह्ये म	हिंदो	•		•	n.
23	,, भूखल महतो						<b>))</b> .
4	,, जानकी महतो				•		13 -
25	,, मोहन महतो		•		•	•	11-
26	,, श्यामलाल महतो			•			22 -
27	,, रघनाथ महतो				•		11.
28	गोनिज्य गतनो						
2 <b>9</b>	,, गनेश महतो	•		•	•	•	,,,
30	ਕਰਿ ਜਿਕ	•	•	•	•	•	,,
31	व्याची भोजी	•	•	•	•	•	"
32	,, ज्यारा वाबा ,, बिहारी घोबी	•	•	•	•	•	<i></i>
33	,, रामेश्वर धोबी	•	•	•	•	•	"
34	,, (यन्यर वापा ,, विलावर मिया	•	•	•	•	•	"
35		•	•	•	•	•	<i>1</i> ).
36	,, ह्यात । मया ,, जिल्क् चमार	•	•	•	•	•	n
37	"ाजल्मू चनार "इतवारी चमार	•	•	•	•	•	<b>3</b> .
38	" इतवारा चमार " चौधरी मोती चमार	•	•	. •	•	•	37-
39			•			•	23
39 40	,, चौधरी मुदन चमार	•	. •	•	+ <b>•</b> • • •	· · · :	n.
41	,, चौधरी सुकर चमार	•	• • •	•	•		<b>27</b> .
41 42	,, नन्हू चमार				•		72
<b>4</b>	,, चौधरी किशन चमा	₹ :	•	•	• • • • •	**	28

46		2						3
44	बनबारी चमा	₹					•	खनिक
45							•	1)
46	मार नं० 2	•	•				•	, ,,
47							,	1)
48	नी चमार					•	•	"
49			•					, ,,
50	छोटू चमार						•	11
52	र चमार	•						,,
53	मार	•				. •		, 11
54	लाल चमार						•	n
55 ,, रूपन च 56 ,, मिखारी 57 ,, मेघन च 58 ,, पान्डू च 59 ,, चौधरी 60 ,, भोरा च 61 ,, खाड़ी म 62 ,, बी० छोत 63 ,, पूरन चम 64 ,, जोगेण्वर 65 ,, छेदी चम 67 ,, गोपाल च 68 ,, पूना चम 69 ,, सम्भू बो 70 ,, हरि बोव 71 ,, बी० बन् 71 ,, बी० बन् 72 ,, मधुवा च 73 ,, लेडवा च 74 ,, चौधरी र 75 ,, चौधरी र 76 ,, बुधवा च 77 ,, बुधवा च 78 ,, झरिया च	<b>ब</b> मार				•			, .
55 ,, रूपन च 56 ,, मिखारी 57 ,, मेघन च 58 ,, पान्डू च 59 ,, चौधरी 60 ,, भोरा च 61 ,, खाड़ी म 62 ,, बी० छोत 63 ,, पूरन चम 64 ,, जोगेण्वर 65 ,, छेदी चम 67 ,, गोपाल च 68 ,, पूना चम 69 ,, सम्भू बो 70 ,, हरि बोव 71 ,, बी० बन् 71 ,, बी० बन् 72 ,, मधुवा च 73 ,, लेडवा च 74 ,, चौधरी र 75 ,, चौधरी र 76 ,, बुधवा च 77 ,, बुधवा च 78 ,, झरिया च	मार					• .	•	11
57			,			•		**
58	चमार	•					•	,,
59 ,, चौधरी व 60 ,, भीरा च 61 ,, खाड़ी मः 62 ,, बी० छोत 63 ,, पूरन चम् 64 ,, जोगेण्वर 65 ,, छेदी चम् 66 ,, देवी चम् 67 ,, गोपाल व 68 ,, पूना चम् 69 ,, सम्भू बोत् 70 ,, हरि बोत 71 ,, बी० बन् 72 ,, मधुवा च 73 ,, लेडवा च 74 ,, चौधरी र 76 ,, बुधवा च 77 ,, बुधवा च 78 ,, झरिया व	त्रमार	•						, ;
59 ,, चौधरी व 60 ,, भीरा च 61 ,, खाड़ी मः 62 ,, बी० छोत 63 ,, पूरन चम् 64 ,, जोगेण्वर 65 ,, छेदी चम् 66 ,, देवी चम् 67 ,, गोपाल व 68 ,, पूना चम् 69 ,, सम्भू बोत् 70 ,, हरि बोत 71 ,, बी० बन् 72 ,, मधुवा च 73 ,, लेडवा च 74 ,, चौधरी र 76 ,, बुधवा च 77 ,, बुधवा च 78 ,, झरिया व	<b>ा</b> मार	•	•				•	) F
60 ,, भोरा च 61 ,, खाड़ी मः 62 ,, बी० छोत 63 ,, पूरन चम् 64 ,, जोगेण्वर 65 ,, छेदी चम् 66 ,, देबी चम् 67 ,, गोपाल च 68 ,, पूना चम् 69 ,, सम्भू बो 70 ,, हिर बोव 71 ,, बी० बन् 72 ,, मधुवा च 73 ,, लेडवा च 74 , चौधरी र 75 ,, बौधरी र 76 ,, बुधवा च 77 ,, बुधवा च 78 ,, झरिया च	सरजू चमार						•	<b>5</b> -)
62 ,, बी॰ छो। 63 ,, पूरन चम 64 ,, जोगेण्वर 65 ,, छेदी चम 66 ,, देबी चम 67 ,, गोपाल व 68 ,, पूना चम 69 ,, सम्भू बो। 70 ,, हरि बोव 71 ,, बी॰ बनू 72 ,, मधुवा च 73 ,, लेडवा च 74 ,, चीधरी र 76 ,, बुधवा च 77 ,, बुधवा च 78 ,, झरिया व	<b>मा</b> र	• ,				•		,,
62 ,, बी॰ छो। 63 ,, पूरन चम 64 ,, जोगेण्वर 65 ,, छेदी चम 66 ,, देबी चम 67 ,, गोपाल व 68 ,, पूना चम 69 ,, सम्भू बो। 70 ,, हरि बोव 71 ,, बी॰ बनू 72 ,, मधुवा च 73 ,, लेडवा च 74 ,, चीधरी र 76 ,, बुधवा च 77 ,, बुधवा च 78 ,, झरिया व	<b>ह</b> तो							11
63 ,, पूरन चम् 64 ,, जोगेण्वर 65 ,, छेदो चम् 66 ,, देवी चम् 67 ,, गोपाल च 68 ,, पूना चम् 69 ,, सम्भू बो 70 ,, हिर बोव 71 ,, बी० वन् 72 ,, मधुवा च 73 ,, लेडवा च 74 ,, घुनिया च 75 ,, चौधरी र 76 ,, खुधवा च 77 ,, खुधवा च 78 ,, झरिया च								,,
65 ,, छेदो चम 66 ,, देबी चम 67 ,, गोपाल च 68 ,, पूना चम 69 ,, सम्भू बो 70 ,, हरि बोव 71 ,, बी० बन् 72 ,, मधुवा च 73 ,, लेडवा च 74 ,, चौधरी र 75 ,, चौधरी र 76 ,, बुधवा च 77 ,, बुधवा च 78 ,, झरिया च			•			•	, ,	,,
65 ,, छेदी चम 66 ,, देबी चम 67 ,, गोपाल च 68 ,, पूना चम 69 ,, सम्भू बो 70 ,, हरि बोव 71 ,, बी० बन् 72 ,, मधुवा च 73 ,, लेडवा च 74 ,, चीधरी र 75 ,, बीधरी र 76 ,, बुधवा च 77 ,, बुधवा च 78 ,, झरिया च	रचमार .							
66 ,, देबी चम 67 ,, गोपाल व 68 ,, पूना चम 69 ,, सम्भू बो 70 ,, हिर बोव 71 ,, बी० बन् 72 ,, मधुवा च 73 ,, लेडवा च 74 ,, चीधरी र 75 ,, बीधरी र 76 ,, बुधवा च 77 ,, बुधवा च 78 ,, झरिया व			•		•	•	•	,,
67 ,, गोपाल व 68 ,, पूना चम 69 ,, सम्भू बो 70 ,, हरि बोव 71 ,, बी० बनू 72 ,, मधुवा च 73 ,, लेडवा च 74 ,, चीधरी र 76 ,, बीधरी र 77 ,, बुधवा च 78 ,, झरिया च		•	•		•	•	•	,,
68 ,, पूना चम 69 ,, सम्भू बो 70 ,, हिर बोव 71 ,, बी० बन् 72 ,, मधुवा च 73 ,, लेडवा च 74 ,, चीधरी र 75 ,, चीधरी र 76 ,, बुधवा च 77 ,, बुधवा च 78 ,, झरिया व		-	•		•	•	•	11
69 ,, सम्भू वो 70 ,, हरि बोव 71 ,, बी० बनू 72 ,, मधुवा च 73 ,, लेडवा च 74 ,, चीधरी र 76 ,, लतलहा 77 ,, बुधवा च 78 ,, झरिया च			•		•	•	•	т 7
70 ,, हिर बोव 71 ,, बी० बन् 72 ,, मधुवा च 73 ,, लेडवा च 74 ,, चीधरी र 75 ,, चीधरी र 76 ,, बुधवा च 78 ,, झरिया च			•		•	•	•	11
71 ,, बी० बनू 72 ,, मधुवा च 73 ,, लेडवा च 74 ,, घुनिया च 75 ,, चीधरी र 76 ,, लतलहा 77 ,, बुधवा च 78 ,, झरिया च		•	•		•	•	•	<b>;</b> ;
72 ,, मधुवा च 73 ,, लेडवा च 74 ,, घुनिया च 75 ,, चौधरी र 76 ,, लतलहा 77 ,, बुधवा च 78 ,, झरिया च			•		•	•	•	J 1
73 ,, लेडवा च 74 ,, घुनिया च 75 ,, चौधरी र 76 ,, लतलहा 77 ,, बुधवा च 78 ,, झरिया च		•	•	٠	•	•	•	1 /
74 , घुनियाँ । 75 , चौधरी । 76 , लतलहा 77 , बुधवा च 78 , झरिया =		•	•		•	•	•	,,
75 ,, चौधरो स 76 ,, लतलहा 77 ,, बुधवा च 78 ,, झरिया व	· •	•	•	•	•	•	•	<b>j</b> 1
76 ,, लतलहा 77 ,, बुधवा <b>च</b> 78 ,, झरिया च	•	· .	•		•	•	•	<b>):</b>
77 ,, बुधवा च 78 ,, झरिया च			•	•	•	•		11
78 ,, झरिया च	•		•	٠	•	•	•	* * * *
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79 ,, कॉली च		•	•		٠	•.	• *	275 <b>33</b>
80 , মান্ত য		٠.	•	٠	•	•		2 31 3 3

1	2					3
31	श्री बी० चूरामन महतो	•	•	•	•	खनिक
32	,, बनूलाल दास .	•		•		* *
33	,, चौधरी झगरू चमार	•	•	•	•	13
84	,, बारा मंगरा चमार .	•	•		•	,,
85	,, हरिया चमार .		•	•	•	*;
86	,, देगवा चमार सुपुत्र श्री पीलय	ग्राचमार	•	•		1)
87	,, तेकबा चमार सुपुत्र मनिका	चमार	•			,,
88	,, चौधरी रूपलाल चमार			•	•	,,
89	,, इन्द्र चमार	•	•	•		,,
90	,, ठाकुर मांझी .					,,
91	,, बेनगा वोधरी	•				1 7
92	,, झमटा चमार .	•				-11
93	,, राम लाल चमार .				•	,,
94	,, चूरामन चमार .				•	,,
95	,, मोहन चमार .					,,
9,6	,, प्रसादी चमार .	•				,,

[सं० 2/135/68--एल० ग्रार**०** 2]

करनैल सिंह,

भवर सचिव, भारत सरकार ।

### (Department of Labour and Employment)

#### ORDER

New Delhi, the 19th February 1971

S.O. 1443.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Bikaner Gypsum Limited, Bikaner and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A of clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri Gopal Narain Sharma, as Presiding Officer with headquarters at Jaipur and refers the said dispute for adjudication to the Industrial Tribunal.

#### SCHEDULE

Whether the claim of the Bikaner Gypsum Mazdoor Union, Bikaner that Sarvashri B. S. Thapa, N. R. Ghos, Veer Bahadur, A. K. Biswas and N. C. Shukla, all Supervisors and Shri N. R. Chakravorty, Shot Firer are entitled to officiating allowance in the grade of Senior Clerks for the period they were posted to Operate the Weigh Bridge at the Jamsar Unit of Bikaner Gypsum Limited, Bikaner is justified? If so, for what period and at what rate?

[No. 30(7)/70-LR-IV.]

U. MAHARATA RAO, Dy. Secy.

## (अप और रोजगार विभाग)

## म्न(देश

## नई दिल्ली, 19 फरवरी, 1971

का० ग्रा० 1443.—पतः केन्द्री। सरकार की राय है कि इससे उपाबद्ध ग्रनसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स बीकानेर जिप्सम लिमिटेड, बीकानेर के प्रबन्धतन्त्र से सम्बद्ध नियोजकों ग्रौर उनके कर्मकारों के बीच एक ग्रौद्योगिक विवाद विद्यमान है;

श्रीर यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

श्रतः, श्रव, श्रौद्योगिक विवाद श्रिधिनयम, 1947 (1947 का 14) की धारा 7-क श्रौर् धारा 10 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतदद्वारा एक श्रौद्योगिक श्रिधिकरण गठित करती है जिसके पीठासीन श्रिधिकारी श्री गोपाल नारायण शर्मा होंगे, जिनका मुख्यालय जयपुर होगा श्रौर उक्त विवाद को उक्त श्रौद्योगिक श्रिधिकरण को न्याय-निर्णयन के लिए निर्देशित करती है।

## %न्सची

"क्या बोकानेर जिप्सम मजदूर यूनियन, बीकानेर का यह दावा है कि सर्वश्री बी० एस० थापा, एन० श्रार० घोष, वीर बहादुर, ए० के० बिस्वास, श्रौर एन० सी० णुक्ला, सभी प्यंवेक्षक, श्रौर श्री एन० ग्रार० चक्रवर्ती, शाट फायरर उस ग्रविध के लिए ज्येष्ट क्लकों के ग्रह में स्थानापन्न भत्ते के हकदार हैं, जब उन्हें बीकानेर जिप्सम लिमिटेंड बीकानेर की जामसर एकक में वे ब्रिज को चलाने के लिए तैनात किया गया था, न्यायोचित है । यदि हां, तो किस ग्रविध के लिए ग्रौर किस दर पर ?"

[संख्या 30(7)/70-एल॰ श्रार॰ 4] यु॰ महाबाला राव, उप सन्तिः

## (Department of Labour and Employment)

#### ORDER

New Delhi, the 27th January 1971

S.O. 1444.—Whereas the Central Government is of opinion that an industria dispute exists between the employers in relation to the management of Oil India Lamited, Duliajan and their workmen in respect of the matters specified in the Schedule hereto annexed:

And whereas the Central Government considers it desirable to refer the said dispute for adjudcation;

Now, therefore, in exercise of the powers conferred by section 7A and claust (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shiri G. N. Borah as Presiding Officer with headquarters at Dibrugarh and refers the said dispute for adjudication to the said Tribunal.

#### SCHEDULE

Whether the action of the management of Oil India Limited, Duliajan, in dismissing the following thirteen workmen is justified? If not, to what relief are the workmen concerned entitled to from the dates of their dismissal?

1. No.	, Na	Registered Number							
	Shri P. M. Dey .		•				•		9/0145
2.	Shri J. C. Baruah								9/2375
3.	Shri P. C. Sharma				*				9/1540
4.	Shri D. K. Sharma			•	•				9/2216
۲.	Shri A. K. Bose								9/0810
6.	Shri Mahatab Singh								9/1319
7.	Shri Mishil Gohain								9/2289
8.	Shri Dharmeswar Dutt	a.				·	·		9/2335
9.	Shri Binod Kumar Roy	7							9/1244
10.	Shri Narsingloo .				•	-			9/1339
II.	Shri Bishnupada Das						•		9/2246
12.	Shri S. K. Basu .		9		•				9/1597
13.	Shri N. N. Sharma.	٠.		٠.	٠.	٠.		٠.	9/3186

[No. 25(9)/68-LRII (LRIV.]

P. C. MISRA, Dy. Secy.

## (श्रम ग्रीर किगार विभाग)

#### धारते ज

नई दिल्ली, 27 जनवरी, 1971

का० ग्रां० 1444- यतः बेन्द्रीय सरकार की राय है कि इससे उपाबद्ध ग्रनुसूची में विनिर्दिष्ट विषयों के बारे में आयत इंडिया निमिटेड, दुलियाजन के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है ;

श्रीर यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अब, आंबोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उन्यारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा एक बायोगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री जी० एन० बोराह होंगे, जिनका मुख्यालय डिब्रूगढ़ होंगा और उक्त विवाद को उक्त अधिकरण को न्यायिकंयन के लिए निर्देणित करती है।

## भनुसूची

"क्या आयल इंडिया लिमिटेड, दुलियाजन के प्रबन्धतंत्र की निम्नलिखित 13 कर्मकारों को पदच्युत करने की कार्यवाही न्यायोचित है ? यदि नहीं, तो सम्बन्धित कर्मकार अपनी पदच्युति की तारीख से किस अनुतोष के हकदार हैं ?"

क्रमांक	कर्मकार का नाम	रजिस्द्रीकृत संख्या
	त्री पी <b>० एम० ह</b> ै.	. 9/0145
2 %	गी जे० सी० बरुमा	. 9/2375
3 %	रीपी० सी० सर्वो	. 9/1540

क्रमां	<b>7</b>	कर्मकार	का नाम-				रजिस्ट्रीकृत संख्या
4	श्री डी० के० शर्मा			•		•	9/2216
5	श्री ए० के० बोस		• .		•		9/0810
6	श्री महताब सिंह		•	•			9/1319
7	श्री मिशिल गोहायन			•	•	•	9/2289
8	श्री धर्मेश्वर दत्त				•		9/2335
9	श्री बिनोद कुमार राय	•					9/1244
10	श्री नरसिंहलू 🐧			•			9/1339
11	श्री बिष्णुपद दास				•		9/2246
12	श्री एस० के० वासु				•		9/1597
13	श्री एन० एन० शर्मा						9/3186

[संख्या 25(9)/68-एल० ग्रार०-2 (एल० ग्रार०4)]

पी० सी० मिश्र, उप सचिव।

## (Department of Rehabilitation) (Office of the Regional Settlement Commissioner)

New Delhi, the 15th January 1971

S.O. 1445.—In exercise of the powers vested in me under Sub-Section (2) c Section 24 of the Administration of Evacuee Property Act, 1950 (Act XXXI o 1950), I, Gulab L. Ajwani, Regional Settlement Commissioner-Cum-Custodian c Evacuee Property, Delhi hereby delegate to Shri G. P. Jaggi, Deputy Custodia in my office, powers to hear appeals presented to the Custodian under Sub-Section 24(i)(a) of the A.E.P. Act, 1950 against the orders passed by Assistant Custodian with effect from 16th November, 1970 (A.N.).

[No. F. 29(219)/Admn/RSCD. GULAB L. AJWANI, Regional Settlement Commissioner Cum Custodian of Evacuee Property

(पुनर्वास विभाग)

(प्रादेशिक बन्दोयस्त ग्रायक्त कार्यालय)

नई दिल्ली 16-जनवरी 1971

एस० ग्रो॰ 1445--निष्कान्त सम्पत्ति प्रशासन ग्रधिनियम 1950 (ग्रधिनियम 1950 के XXXI के भाग 24 के उपभाग 2 की प्रदत्त शक्तियों का प्रयोग करते हुए में श्री गुलाब एक व श्रजवानी, प्रादेशिक बन्दोबस्त प्रायमत, सहित निष्कान्त सम्पत्ति प्रभिरक्षक दिल्ली, श्री जी० पी॰ जंग्गी को जो कि मेरे कार्यालय में सहायक निष्कान्त सम्पत्ति अभिरक्षक के पद पर कार्य कर रहे हैं ग्रपनी उन शक्तियों का 16-11-70 (ग्रपराहन) से प्रयोग करने का ग्रधिकार दिया है जो कि ग्रमिरक्षेक की निष्कान्त सम्पत्ति प्रशासन ग्रधिनियम 1950 के उपभाग 24(1) (ए) के अन्तर्गत प्रदान की गई है ताकि वे उन प्रार्थनाओं को सुन सकें तथा फैसले कर सके जो कि सहायक श्रभिरक्षक के फैसले के विरूद्ध की गई हो।

(सं॰ 29(219)/एडमिन/भार॰ एस॰ सी॰ डी॰)

ग्लाब० एल० बज्जानी, प्रावेशिक बन्दीबस्त साम्बर सहित निष्कान्त सम्पत्ति श्रीवरक्षक ।

#### **ELECTION COMMISSION OF INDIA**

#### ORDER

#### New Delhi, the 19th March 1971

S.O. 1446.—Whereas the Election Commission is satisfied that Shri Sesha Chary K. H. No. 3-2-39, Kashiguda, Hyderabad (Andhra Pradesh), a contesting candidate for the bye-election to the Andhra Pradesh Legislative Assembly from 208-Khairatabad constituency, held in 1970 has failed to lodge

an account of his election expenses at all required by the Representation of the People Act. 1951, and the Rules made thereunder;

And whereas, the said candidate even after the due notice has not given any reason or explanation for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Sesha Chari K. to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. AP-LA/208/70 Bye.]

By order,

ROSHAN LAL, Secy.

भारत निर्वाचन ग्रायोग

#### ग्राटेश

## नइ दिल्ली 19 मार्च, 1971

य c:, ित्र वित्र आयोग का समाधान हो गया है कि आंध्र प्रदेश विधान सभा के लिए 1970 में हुए उप निर्वाचन के लिए 208 खैराताबाद निर्वाचन क्षेत्र से निर्वाचन लड़ने वाले उम्मीदवार श्री सेशा-चरों के०, मकान नं० 3/2/39, काचीगुडा, हैदराबाद (आंध्र प्रदेश), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों को कोई भी लेखा दाखिल करने में असफल रहे हैं ;

- 2. ग्रोर यत:, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिए जाने पर भी श्रपनी इस ग्रसफलत । के लिए कोई कारण ग्रथवा स्पष्टीकरण नहीं दिया है;
- 3. ग्रतः, ग्रव, उक्त ग्रधिनियम की धारा 10-क के ग्रनुसरण में निर्वाचन ग्रायोग एतद्द्वारा उक्त श्री सेशाचारी के को संसद के दोनों सदनों से किसी भी सदन के वा किसी राष्ट्रव को विधान सभा प्रथवा विधान परिषदों के सदस्य चुने जाने ग्रौर होने के लिए, इस ग्रादेश की तारीख से तीन वर्ष की कालावधि के लिए निर्राहत कोषित करता है।

[संख्या मां० प्र० वि० स० 208/70-उप]

द्यादेश से.

रोशन लाल, सचिव

#### VICE PRESIDENT'S SECRETARIAT

New Delhi, the 19th March 1971

S.O. 1447.—In exercise of the powers conferred by Section 10 of the Punjab University Act, 1947. the Chancellor of the Punjab University, Chandigarh, is pleased to extend the term of Shri Suraj Bhan as Vice-Chancellor of the Punjab

University for a period of three years with effect from the 1st July, 1971, on the existing terms and conditions.

[No. VPS/PU/70/11672.]
V. D. PHADKE, Secy.

## उप-राष्ट्रपति स**चिवा**लय

## नई दिल्ली, 10 मार्च 1971

एस० ग्रो० 1347-भारत के उप-राष्ट्रपति, पंजाब विश्वविद्यालय, चन्डीगढ़ के कुलिधपित की हैसियत से पंजाब विश्वविद्यालय के ग्रिधिनियम, 1947 की धारा 10 में दिये गये ग्रिधिकार का प्रयोग करते हुए पंजाब विश्वविद्यालय के कुलपित श्री सूरजभान की सेवा-कान की जग्नविध में, वर्तमान नियमों ग्रौर शर्तों के ग्राधार पर प्रसन्नतापूर्वक 1 जलाई, 1 71 से तीन साल की वृद्धि करते हैं।

[नं॰ वी पी एस/पी यू/71/11672]

वि० फड़के, सचिव

#### MINISTRY OF HOME AFFAIRS

New Delhi, the 18th March 1971

- S.O. 1448,—In exercise of the powers conferred by clause (1) of article 258 of the Constitution and of all other powers enabling him in this behalf, the President, with the consent of the Government of Himachal Pradesh, hereby entrusts to that Government, the functions of the Central Government (i) under section 5 of the Passport (Entry into India) Act, 1920 (34 of 1920); (ii) under rules 2 and 4 of the Fassport (Entry into India) Rules, 1950; (iii) under rule 3 of the Registration of Foreigners Rules, 1939; (iv) in making orders of the nature specified in clauses (a), (b), (c), (cc), (d), (e) and (f) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946); and (v) under the Foreigners Order, 1948, subject to the following conditions, namely:—
  - (a) that in the exercise of such functions, the said Government shall comply with such general or special directions as the Central Government may from time to time issue; and
  - (b) that notwithstanding this entrustment, the Central Government may itself exercise any of the said functions should it deem fit to do so in any tase.

[No. 11013/1/71-(I)-F.L.]

- S.O. 1449.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution and of all other powers enabling him in this behalf, the President, with the consent of the Government of Himachal Pradesh, hereby entrusts to that Government, the functions of the Central Government (i) for obtaining an indemnity bond in respect of a foreigner entering India; (ii) for taking any action under the terms and conditions of the bond; and (iii) for incurring any expenditure on the foreigner and his family during their residence in India and on their repatriation out of India, subject to the following conditions, namely:—
  - (a) that in the exercise of such functions the said Government shall comply with such general or special directions as the Central Government may from time to time issue; and
  - (b) that notwithstanding this entrustment, the Central Government may itself exercise the said functions should it deem fit to do so in any case.

[No. 11013/1/71-(II)-F11

R. A. S. MANT Dv. Secy.

#### New Delhi, the 22nd March 1971

S.O. 1450.—In pursuance of clause (b) of rule 2 of the Citizenship Rules, 1856 and in supersession of the notification of the Government of India in the Ministry of Home Affairs No. S.O. 1169, dated the 18th March, 1970 the Central Government hereby appoints the officer specified in column 1 of the Schedule hereto annexed to perform in the Union Territory of Tripura the functions of the Collector under the said rules in respect of the area specified in the corresponding entry in column 2 thereof.

#### THE SCHEDULE

Designation of the Officer

Area

Additional District Magistrate, West Tripura

West Tripura District.

[No. 23/1/66-IC.]

NAND KUMAR, Under Secy.

## गृह मंत्रालय

## नई दिल्ली, 22 मार्च, 1971

एस० भो० 1450.—नागरिकता नियम, 1956 के नियम 2 के खण्ड (ख) के अनुसरण में और भारत सरकार के गृह मंत्रालय की अधिसूचना सं० का० आ० 1169 तारीख 18 मार्च, 1970 को अधिकांत करते हुए केन्द्रीय सरकार इससे उपाबद्ध अनुसूची के स्तभं 1 में विनिर्दिष्ट अधिकारी को, उसके स्तम्भं 2 की तत्स्थानी प्रविष्टि में विनिर्दिष्ट क्षेत्र की बाबत उक्त नियमों के अधीन विपुरा संघ राज्य क्षेत्र में कलक्टर के कृत्यों का पालने करने के लिए, एतद्द्वारा नियुक्त करती है।

## **म**न्स्ची

ग्रधिकारी का पदाभिदान

क्षेव

अपर जिला मजिस्ट्रेट, पश्चिमी विप्रा

पश्चिमी विपुरा जिला

[संख्या 23/1/66—भा० ना० अनुभाग]

नन्द कुमार,

ग्रार सचित्र, भारत सरकार ।

## New Delhi, the 25th March 1971

S.O. 1451.—In exercise of the powers conferred by Section 41 of the Arms Act, 1959 (54 of 1959), the Central Government, being of opinion that it is expedient in the public interest so to do hereby exempts the members of the General Reserve Engineer Force who are ex-servicemen and are serving in, and located within, the sector of responsibility of the Chief Engineer, Project Beacon (FEK) and are armed in self-defence to ward off the attacks of unruly elements and to protect the officers and members of, and property belonging to the Force. from the operation of the provision of the said Act.

[No. 17/3/71-GP A. IL]

T. V. RAMANAN, Dy. Secy.

## नई दिल्ली, दिनांक 25 मार्च, 1971

एस० भ्रो० 1451.—परिनियम नियमित तथा भ्रादेश—केन्द्रीय सरकार शस्त्र भ्रधिनियम, 1959 (1959 का 54) की धारा 41 द्वारा प्रदत्त ग्रधिकारों का प्रयोग करते हुए और इस विचार से कि ऐसा करना जनता के हित में समीचीन है, एतद्द्वारा जनरल रिजर्व इन्जीनियर दल के उन सदस्यों को उक्त ग्रधिनियम के उपबन्धों के ग्रमल से छट देती है जो पूर्व सैनिक रहे हैं तथा जो मुख्य इन्जीनियरी, प्राजेक्ट, बीकन (जम्मू एवं काश्मीर) के उत्तरदायित्व-क्षेत्र में काम कर रहे हैं प्रथवा उस क्षेत्र की परिधि में नियुक्त हैं ग्रीर जो ग्रात्म-रक्षा में उपद्रवी तत्वों के मार्क्रमणों को विफल करने एवं दल के ग्रधिकारियों, सदस्यों तथा दल की सम्पत्ति की रक्षा हेतु **अध्यारों** से लैस किये जाते हैं।

> [सं0 17/3/71-- जी0 वी0 व्0--II] टी० वी० रमणन, उप सन्ति, भ रहा सरकार ।

## MINISTRY OF HEAUTH, FAMILY PLANNING, WORKS, HOUSING AND URBAN DEVELOPMENT

## (Department of Health)

New Delhi, the 23rd March 1971

S.O. 1452.—Whereas Dr. H. D. Gupta, LDSc. (Cal.), LDS, RCS (Eng.), MDS (LKO), Reader in Dentistry, Dental College and Hospital, Lucknow, has been re-elected under clause (a) of section 3 of the Dentists Act, 1948 (16 of 1948) to be a member of the Dental Council of India from the State of Uttar Pradesh with effect from the 26th November. 1970:

And whereas in pursuance of the provisions of clause (e) of section 3 of the said Act, Dr. G. K. Tiagi, Director of Medical and Health Services and Family Planning, Uttar Pradesh, Lucknow, has been nominated by the Government of Uttar Pradesh, to be a member of the said Council with effect from the 21st October, 1970 vice Dr. D. N. Sharma;

Now, therefore, in pursuance of section 3 of the said Act, the Central Government hereby directs that Dr. H. D. Gupta shall continue to be a member of the Dental Council of India and makes the following further amendments in the notification of the Government of India in the late Ministry of Health No. 3-2/62-MII, dated the 17th October, 1962, namely:—

In the said notification, under the heading "Nominated under clause (e) of tion 3" for the entry against serial No. 9, the following entry shall be substitutsection 3' ed, namely:-

"Dr. G. K. Tiagi, Director of Medical and Health Services and Family Planning, Uttar Pradesh, Lucknow."

[No. F. 3-10/70-M.P.T.]

## स्वास्थ्य, परिवार नियोजन, तिस्णि, सावास एवं नगर विकास मंत्रालय

## (स्वास्थ्य विभाग)

## नई दिल्ली, 23 मार्च, 1971

यसं भी 1452 -- वतः दन्त चिकित्सक प्रधिनियम, 1948 (1948 का 16) की धारा 3 के खण्ड (क) के अधीन डा० एच० डी॰ गुप्त, एल॰ डी० एस०-सी॰ (कल०), एल० डी०, इसंब, बारं सींव एसंव (इंग), एमव डीव एलव (सबाव) दन्त विज्ञान के रीडर, दस्त विकित्सा इलिक एवं अस्पताल, लखनक को 26 नवम्बर, 1970 से उत्तर प्रदेश राज्य से बारतीय दस्त विकित्सर धरिषक्का सदस्य पून: निर्वाचित किया गया है।

ग्रीर यतः उक्त ग्रिधिनियम की धारा 3 के खण्ड (ङ) के उपबन्धों का पालन करते हुए चिकित्सा एवं स्वास्थ्य सेवाग्रों एवं परिवार नियोजन, उत्तर प्रदेश, लखनऊ के निदेशक डा॰ जी॰ के॰ त्यागी को उत्तर प्रदेश सरकार ने 21 प्रक्तूबर, 1970 से डा॰ डी॰ एन० शर्मा के स्थान पर उक्त परिषद का सदस्य मनोनीत किया गया है।

श्रव, श्रतः उक्त श्रधिनियम की धारा 3 का श्रनुसरण करते हुए केन्द्रीय सरकार एतदद्वारा निर्देश देती है कि डा० एच० डी० गुप्त भारतीय दन्त चिकित्सा परिषद के सदस्य बने रहेंगे श्रीर भारत सरकार के भृतपूर्व स्वास्थ्य मंत्रालय के 17 श्रक्तूबर, 2962 की श्रधिसूचना संख्या 3-2/62-चि० 2 में निम्नलिखित श्रीर संशोधन करती है, नामतः—

उक्त ग्रधिसूचना के, ''धारा 3 के खण्ड (ङ) के मनोनीत शीर्ष'' के ग्रन्तर्गत क्रम संख्या 9 की प्रविष्टि के सामने निम्नलिखित प्रविष्टि कर दी जाय, नामतः

> "डा० जी० के० त्यागी, निदेशक चिकित्सा तथा स्वास्थ्य सेवाएं एवं परिवार नियोजन, उत्तर प्रदेश, लखनऊ।"

> > [संख्या प० 3-10/70-एम० पी० टी**०**]

## New Delhi, the 24th March 1971

S.O. 1453.—In pursance of clause (d) of rule 2 of the Indian Medical Council Rules, 1957, the Central Government hereov appoints Dr. Sham Singh Sakhon. Deputy Director, Pure Food and Drugs, Health Department, Punjab, as Refu ning Officer for the conduct of election of a member to the Medical Council of India under clause (c) of sub-section (1) of section 3 of the Indian Medical Council Act. 1956 (102 of 1956) in the State of Punjab.

[No. F. 4-17/08-M.P.T.] M. C. MISRA, Dy. Secy

## नर्र दिल्ली, 24 मार्च, 1971

एस० ग्री 1453.—भारतीय चिकित्सा परिषद नियमावली, 1957 के नियम 2 के खण्ड (घ) का पालन करते हुए केन्द्रीय सरकार एतदहारा डा० शाम सिंह सखोन, उप निदेशक, विशुद्ध खाद्य एवं ग्रीषधि, स्वास्थ्य विभाग पंजाब को पंजाब राज्य में भारतीय चिकित्सा परिषद ग्रीधनियम, 1956 (1956 का 102) की धारा 3की उपधारा (1) के खण्ड (ग) के अप्रतिय चिकित्सा परिषद के एक सदस्य का निर्वाचन कराने के लिए निर्वाचन मधिकारी के रूप में नियुक्त करती है।

[सं०प० 4-17/एम०पी०टी०] महेश चन्द्र मिश्र, उप सन्दिर, भारत सरकार।

#### (Department of Health)

#### ORDER

#### New Delhi, the 23rd March 1971

S.O. 1454.—Whereas by the notification of the Government and a in the late Ministry of Health No. 17-2/60-MI, dated the 22nd April, 1660, the Centra Government has directed that the Medical qualification, M.D. (Pennsylvania U.S.A.) shall be recognised medical qualification for the purposes of the India Medical Council Act 1956 (102 of 1956);

And whereas Dr. W. M. Bond who possesses the said of diffication is for the time being attached to the Wanless Hospital Miraj Medical Centre, Miraj Distric Sangli for the purposes of teaching and charitable work;

Now, therefore, in pursuance of clause (c) of the proviso to sub-section (1) of section 14 of the said Act, the Central Government hereby specifies—

(i) a further period of two years with effect from the 31st August, 1970 or

(ii) the period during which Dr. W. M. Bond is attached to the said Wanless Hospital, Miraj, District Sangli, whichever is shorter, as the period to which the medical practice by the aforesaid doctor shall be limited.

[No. F. 19-33/79-M.P.T.] P. C. ARORA, Under Secy.

## (स्वास्थ्य विभाग)

#### ग्रादेश

नई दिल्ली, 23 मार्च 1971

एस॰ भी । 1454—यतः भारत सरकार के भुतपूर्व स्वास्थ्य मंत्रालय की 22 प्रभैल, 1960 की अधिसूचना संख्या 17-2/60-चिकित्सा द्वारा केन्द्रीय सरकार ने निदेश दिया है कि भारतीय चिकित्सा परिषद अधिनियम, 1956 (1956 का 102) के प्रापोजनों के लिए एम० डी॰ (पेन्न साइलवनिया) नामक चिकित्सा अहंता मान्य चिकित्सा अईता होगी;

ग्रीर यत: डा॰ डब्ल्यु॰ एम॰ बोण्ड जिनके पास उक्त ग्रह्त है, को ग्रध्यापन तथा धर्मार्थ कार्य के प्रयोजनों के लिए फिलहाल वैंग्लेस ग्रस्पताल, मिराज, सांग्ली जिले के साथ सम्बद्ध किया जारहा है;

श्रत:, श्रब, उक्त ग्रधिनियम की धारा 14 की उपधारा (1) के परन्तुक के भाग (ग) का ग्रनसरण करते हुए केन्द्रीय सरकार एतदद्वारा :---

- (1) 31 ग्रगस्त, 1970 से ग्रागेदो वर्ष की ग्रोर ग्रवधि को ग्रथवा
- (2) उस अवधिको जब तक डा॰डब्ल्यु॰ एम॰ बोण्ड उक्त बैल्लेस अस्पताल मिराज, जिला सांग्ली, से सम्बद्ध रहते हैं, जो भी कम हो वह अवधि विनिर्दिष्ट करती है, जिसमें पूर्वोघ्त डाक्टर मैडिकल प्रैक्टिस कर सकेंगे।

[संख्या प० 19-33/70-एम० पी० टी०] पी० सी० अरोरा, श्रवर सचिला

#### MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 19th March 1971

8.0. 1455.—In exercise of the powers conferred by sub-section (7) of Section 63 of the Motor Vehicles Act, 1939 (4 of 1939), the Central Government hereby specifies the number of permits valid for the whole of India, as specified in column (2) of the Table below, which the State Transport Authority of any State or Union Territory may, for the purpose of promoting tourism, grant in respect of the classes of tourist vehicles specified in the corresponding entry in column (1) of the said Table:

#### TABLE

	Class of to	trist	vehicl	e				Number of permits (2)	
(i) (ii)	Omni bus Motor Cab	:	•	•	:	•	:	10 50	

NOTE.—A separate permit shall be granted in respect of each tourist vehicle.

[No. 39-TAG(3)/71.]

K. C. JOSHI, Dy. Secs.

## पौत परिवहन तथा परिवहन मंत्रालय

## (परिवहन पक्ष)

## नई दिल्ली, 19 मार्च, 1971

एस० भी० 1455.—मोटर गाड़ी अधिनियम, 1939 (1939 का 4) की घारा 63 की उपधारा (7) द्वारा प्रदत्त शिक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतदद्वारा सारे भारत में वैद्य परिमटों की संख्या नीचे दी गई तालिका के दूसरे स्तम्भों में उल्लिखित करती है, जिन्हें कोई राज्य अथवा केन्द्रीय शासित क्षत्र पर्यटन उत्थान के लिए उक्ततालिका के संगत प्रथम स्तम्भ में निर्दिष्ट प्रकार की पर्यटक-मोटर गाड़ियों के लिए प्रदान कर सकता है;

#### तालिका

पर्यटन मोटर गाड़ी का प्रकार	परमिटों की संख्या	
(1)	(2)	
1. ग्रोम्निवस	10	
2. मोटर कैंब	5 0	

टिप्पणी : प्रत्येक पर्यटक-मोटर गाड़ी के लिए पृथक परिमट प्रदान किया जायेगा ।

[संख्या 39 टी॰ ए॰ जी॰ (3)/71]

के० सी० जोशी, उपसचिव।

#### MINISTRY OF TOURISM AND CIVIL AVIATION

New Delhi, the 24th March, 1971

S.O. 1456.—In pursuance of sub-rule (2) of rule 3 of the Aircraft Rules, 1937, the Central Government hereby authorises the Manager, Patiala Aviation Club, Patiala, also to grant or renew Student Pilot's Licence referred to in clause (a) of rule 38 and in Section 'B' of Schedule II to the said Rules, with effect from the 16th March, 1971 and makes the following amendment in the notification of the Government of India in the Ministry of Tourism and Civil Aviation No. S.O. 44 dated the 16th December, 1970, published at page 40 of the Gazette of India Part II, Section 3-sub-section (ii) dated the 2nd January, 1971, namely:—

"In the said notification, after entry 10, the following entry shall be inserted, namely:—

11. The Manager, Patiala Aviation Club, Patiala."

[No. F. 10-A/11-70/AR/1937(2)/1971.]

S. N. KAUL, Dy. Secy.

#### पर्यटन तथा नागर विनानन मंत्रालय

## नई दिल्ली, 24 मार्च, 1971

का० ग्रा० 1456.—वायूपान नियम, 1937 के नियम 3 के उप-निषम (2) का सनूसरण करते हुए केन्द्रीय सरकार एतव्हारा प्रबंधक, पटियाला एवियेशन क्लब, पटियाला को भी 16 मार्च, 1971 से नियम 39 के खंड (क) और उक्त नियमों की सनूसूची ।। के खंड 'ख' में विनि-रादिष्ट छात्र पाइलट सनूज़ित की मंजुरी देने अथवा नवीकरण करने के लिए प्राधिकृत करती

है और 2 जनवरी, 1971 के भारत स राजपत के भाग ।।, खंड 3, उपखंड (।।) के पृष्ठ 40 पर प्रकाशित भारत सरकार के पर्यटन तथा नागर विमानन मंत्रालय की ग्रधिसूचना सं० का० ग्रा० 34, दिनांक 16 दिसम्बर, 1970 में निम्नलिखित संशोधन करती है, ग्रर्थात :—

> [सं॰ फ.-10-ए/11-70/ए॰ झार/1937(2)/1971] सुरेन्द्र नाथ कौल, उप सचित्र।

## पेड़ोलियन तथा रसायन श्रोर लान तथा घा मंत्रालय

(वैट्रोलियम तथा रसायन विभाग)

नई दिल्ली, 28 नवम्बर 1970

का० गा० 4020.—उद्योग (विकास तथा विनियमन) ग्रिधिनियम, 1951 (1951 का 65) की धारा 19 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतदद्वारा ग्रिधिसूचित करती है कि कानूनी ग्रादेश संख्या 1223 दिनांक 17 मार्च, 1970 की ग्रनसूची के मद संख्या 4 के स्थान पर निम्न पद स्थापित किया जाए ग्रर्थात:—

"मद्य निषध ग्रौर उत्पादन शूल्क के जिला निरीक्षक"

[संख्या 4(2)/68 कैमी 1] ज०ए० चौधरी, ग्रवर सचित्र।

## MINISTRY OF FOREIGN TRADE

New Delhi, the 24th March 1971

- 8.0. 1457.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following order further to amend the Cotton Textiles (Control) Order 1948, namely:—
- 1. This Order may be called the Cotton Textiles (Control) Amendment Order, 1971.
  - 2. In Clause 21 of the Cotton Textiles (Control) Order, 1948, in sub-clause (1)
    (a) after item (iii), the following item shall be inserted, namely:—
    "(iii-a) one-third bales containing not less than 450 metres or not more

than 550 metres of cloth; or";

- 'b) in the first proviso, for the words "half and quarter bales", the words "half, one-third, quarter and one-eight bales" shall be substituted:
- (c) in the second proviso, in item (d), for the words "one-half or one-quarter bales" the words "one-half, one-third, quarter or one eight bales" shall be substituted;
- (d) for the Explanation, the following Explanation shall be substituted, namely:—
- "Explanation.—For the purpose of this sub-clause, a wooden case containing the quantity of cloth as specified in items (i), (ii), (iii), (iii-a), (iv) or (v) shall also be deemed to be a full, three quarter, half, one-third, quarter or one-eight bale, as the case may be."

[No. F. 24/13/69-Tex-A.] H. K. BANSAL, Dy. Sect-

#### विदेश व्यापार मंत्र लय

## नई दिल्ली, 24 मार्च, 1971

का० भ्रां० 1457—मावस्यक वस्तु मिनियम, 1955 (1955 का 10) की धारा 3 द्वारा भित्रत शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, सूती वस्त्र (नियंत्रण) म्रादेश, 1948 में भीर म्रागे संशोधन करने के लिए एतदुद्वारा निम्नलिखित म्रादेश बनाती है, मर्थात :—

- 1. यह ग्रादेश सूती वस्त्र (नियंत्रण) संशोधन ग्रादेश, 1971 कहा जा सकेगा ।
- 2. सूती वस्त्र (नियंत्रण) ग्रादेश, 1948 के खंड 21 में, उपखंड (1) में-
- (क) मद (।।।) के पश्चात निम्नलिखित मद ग्रन्तःस्थापित की जायगी, ग्रर्थात :—
  "(।।।—क) एक——तिहाही गांठें जिसमें 450 मीटर से ग्रन्थुन या 550 मीटर से ग्रनिधक
  वस्त्र हो; या";
- (ख) प्रथम परन्तुक में, "ग्राधी ग्रौर चौथाई गांठें", शब्दों के स्थान पर "ग्राधी, एक तिहाई चौथाई ग्रौर एक बटा ग्राठ गांठें" शब्द प्रतिस्थापित किए जाऐंगे ;
- (ग) द्वितीय परन्तुक में, मद (घ) में, ("म्राधी या एक-चौथाई गांठें" शब्द प्रतिस्थापित किए जाऐंगे ;
- (घ) स्पष्टीकरण के स्थान पर, निम्नलिखित स्पष्टीकरण प्रतिस्थापित किया जायगा, प्रयात :---
  - "स्पष्टीकरण:—इस उपखंड के प्रयोजन के लिए लकड़ी का बकसा जिसमें मद (1), (11), (111), (111—क), (iv) या (v) में या यथा विनिदिष्ट परिमाण में वस्त्र हों, यथास्थिति भरा, हुन्ना, तीन-चौथाई या गांठ का एक बटा माठ भी समझा जायगा ।"

[सं० फ० 24/13/69—देक्स० ए०].

एस० के० बन्सल, उप सचिव ।

## (Office of the Chief Controller of Imports and Exports) ORDERS

#### New Delhi, the 29th December 1970

S.O. 1458.—M/s. Daily Thanthi, 1. Rundal's Road, Madras were ranted an mort licence No. P/A/1326125 dated 17th March, 1970 for Rs. 8,38,875 (Rupees light lakh thirty eight thousand eight hundred and seventy five only). They have pplied for the issue of a duplicate licence on the ground that the original Customs urposes/Exchange Control Purposes copy has been lost. It was utilised for NIL and the balance available on it was Rs. 8,38,875.

3. A duplicate Customs Purposes/Exchange Control Purposes copy of the said icence is being issued separately to the licence.

<sup>2.</sup> In support of this contention the applicant has filed an affidavit duly attested by Notary Public U.T. of Delhi. I am accordingly satisfied that the original Customs surposes/Exchange Control Purposes copy of the said licence has been lost. Therefore in exercise of the powers conferred under Sub-Clause 9(cc) of the Imports Control) Order, 1955 dated 7th December, 1955, as amended the mid original sustoms Purposes/Exchange Control Purposes copy of the licence No. P/A/1326125 ated 17th March, 1970 issued to M/s. Daily Thanthi, 1, Rundails Road, Madras is lereby cancelled.

#### म्हय निवंत्रक. ब्रायात-निर्यात का कार्यालय

#### ग्रादेश

## नई दिल्ली 29 दिसम्बर, 1970

कां गां 1458 — सर्वश्री डली थान्थी, 1, रन्डाल्स रोड, मद्रास को 8,38,875 रुपये (ग्राठ लाख ग्रड्तीस हजार ग्राठ सौ पचहत्तर रुपये मात्र) के लिए एक ग्रायात लाइसेंस संख्या पी ए 1326125 दिनांक 17-3-70 प्रदान किया गया था। उन्होंने लाइसेंस की ग्रनुलिपि जारी करने के लिए इस ग्राधार पर ग्रावेदन किया है कि मूल सीमा-शुल्क प्रति/मुद्रा विनिमय नियंत्रण प्रति खो गई है। इस का बिल्कुल उपयोग नहीं हुग्रा था ग्रीर इस पर शेष उपलब्ध धन राशि 8,38,875 रुपये थी।

- 2. इस तर्क के समर्थन में आवेदक ने दिल्ली राज्य के नोटरी पब्लिक द्वारा विधिवत् साक्ष्यांकित एक भपथ पत्न दाखिल किया है। तदनुसार मैं संतुष्ट हूं कि उक्त लाइसेंस की मूल सीमा-शुल्क/प्रति/मुद्रा विनिमयन नियंत्रण प्रति खोई गई है। इसलिए यथा संशोधित आयात नियंत्रण आदेश 1955, दिनांक 7-12-55 की उपधारा 9 (सीसी) के अन्तर्गत प्रदत्त अधिकारों का अयोग करते हुए सर्व श्री डेली बान्यी, 1, रंडल्स रोड को जारी किए गए लाइसेंस सं० पी० ए० 1326125 दिनांक 17-3-70 की उक्त मूल सीमा-शुल्क प्रति/मुद्रा विनिमय नियंत्रण प्रति को एतद्दारा रह किया जाता है।
- 3. लाइसेंस धारी को उक्त लाइसेंस की सीमा-शुल्क प्रति/मुद्रा विनिमय नियंत्रण प्रति की अनिलिप प्रलग से जारी की जा रही है।

[संख्या 3-6 टी॰/67-5/67-68 न्यूजिंप्रट सेल 1 (ए)] New Delhi, the 19th March 1971

- S.O. 1459.—M/s. Unichem Laboratories Limited, Bombay, were granted Licence No. P/D/2178589 dated 21st March, 1970, for import of Raw Materials valued at Rs. 1,70,450 from R.P.A. countries (Bulgaria, Czechoslovakia, G.D.R. Hungary, Poland, Rumania, U.S.S.R., Yugoslavia). They have requested for the issue of duplicate Customs purposes copy on the ground that the original Customs copy of the licence has been misplaced after utilising Rs. 1,39,328 and that the licence has been registered with the Collector of Customs, Bombay.
- 2. In support of their contention, the applicant have filed an affidavit. The under-signed is satisfied that the original Customs purposes copy of Licence No. P/D/2178589, dated 21st March, 1970, has been misplaced/lost and directs that duplicate Customs purposes copy of the said licence should be issued to them. The original Customs purpose copy of the licence is cancelled.

[No. Ch/U-78(4)/A.M. 70/R.M. 3/3200.<sup>1</sup>

SARDUL SINGH.

Dy. Chief Controller of Imports and Exports

## नई दिल्ली, 19 मार्च 1971

एस० ग्रो०1459—सर्वश्री यूनिकैम लैंबोरेट्रीज लि०, बम्बई को रुपया भुगतान क्षेत्र (बल-मारिया, नेकोस्लोवाकिया, जर्मनी जनवादी गणराज्य, हंगरी, पोलैंड, रुमानिया, सोवियत समाजवादी गणतंत्र संघ, युगोस्लाविया) देशों से 1,70,450 रुपये के मूल्य के कच्चे माल के झायात के लिए एक झायात लाइसेंस सं० पी/डी/2178589 दिनांक 21-3-70 जारी किया गया था। उन्होंने साइसेंस की सीमा शुल्क प्रति की अनुलिपि जारी करने के लिए इस झाझार पर झावेदन किया है कि 1,39,329 रुपये का स्पयोग होने के बाद मूल सीमा शुल्क प्रति झस्थानस्य हो गई है 2. अपने तक के समर्थन में आवेदक ने एक शपथ पत दाखिल किया है। अधोहस्ताक्षरी तृष्ट है कि लाइसेंस सं० पी/डी/2178589, दिनांक 21-3-70 की मूल सीमा शुल्क प्रति स्थानस्थ हो गई है/खो गई है/श्रीर निदेश देता है कि उनको उक्त लाइसेंस की सीमा शुल्क प्रति अनुलिपि जारी की जानी चाहिए। लाइसेंस की मूल सीमाशुल्क प्रति रह की जाती है।

[सं० सी एच/यू-78(4)/ए एम 70/ब्रार एम-3/3200]

सरदूल ।सह

उप-मुख्य नियंत्रक, श्रायात-निर्यात।

# (Office of the Joint Chief Controller of Imports and Exports) ORDER

Calcutta, the 19th January 1971

<code>JBJECT.—Order</code> cancelling the customs purpose copy of licence No. P/EI/0143615/ C/XX/25/C/C/25-26, dated 29th September, 1967 in connection with the issue of duplicate copy of the same.

s.o. 1460.—M/s. Kilburn & Co. Ltd., 2, Fairlie Place, Calcutta-1, were granted aport licence No. P/EI/0143615/C/XX/25/C/C/25-26, dated 28th September 1967, r parts of machinery when required for industries other than Cinema and Refrictation and also other than spare parts of machinery falling u/s No. 65(1-4)(VII) and (b)/V for Rs. 95,611 (Rupees ninetyfive thousand six hundred and eleven alv).

They have now applied for issue of a duplicate of the customs purpose copy the said licence on the ground that the original has been lost. It is further ated that the original licence has been registered with the Customs House, Calita, and utilised partly (to the extent of Rs. 85.436) leaving a balance of h. 10,175 (Rupees ten thousand one hundred and seventy-five only).

In support of this contention, the applicant has filed an affidavit. I am satisfied at the original customs purpose copy of licence No. P/EI/0143615/C/XX/25/C/C/i-26, dated 28th September 1967, has been lost and direct that duplicate of the istoms purpose copy be issued to the applicant. The original customs purpose py of the licence is cancelled.

[No. 65(5)(111)-V/62/AM'68/EI-I.]

M. S. PURI.

Dy. Chief Controller of Imports and Exports, for Jt. Chief Controller of Imports and Exports.

(संयुक्त मुख्य नियंत्रक ग्रायार -निर्यात का कार्यालय)

## <mark>प</mark>ादेश

#### कलकत्ता. 19 जनवरी 1971

विषय: -- लाइसेंस सं० पी/ई बाई/0143615/सी/एक्स एक्स/25/सी/सी 25-26 दिनांक 28-9-67 की सीमा शुल्क प्रति की अनुलिपि जारी करने के सम्बन्ध में मल सीमा शुल्क प्रति की रह करने का आदेश।

एस० घो० 1476. सबंधी किलवर्न एण्ड कं० नि०, 2, फेयरली प्लेस, कलकता-1 को सिनेमा घोर प्रशीसन से फिन्न मशीनों के पुर्जे के लिए जब कभी इन की धावश्यकता उद्योगों के लिए हो घोर कम सं० 65(1-4)(7)(ए) तथा (बी)/3 के अन्तर्गत धाने वाले मशीनों के कालत पुर्जों से घी किल पुर्जों के धायात के लिए 95611 रुपये (प्रशान्ते हजार छ: सौ ग्यारह कपये सात्र) का एक धायात साहर्सेस सं० थी/ई बाई/0143615/सी/एकस/एकस/25/सी/सी 25-26 दिलांक

28-9-67 जारों किया गया था। अब उन्होंने उक्त लाइसेंस की सीमा भुल्क प्रति की अनुलिए जारों करने के लिए इस आधार पर आवेदन किया है कि मूल प्रति उनसे को गई है। भागे यह सूचना दी गई है कि मूल लाइसेंस सीमा शुल्क कार्यालय, कलकत्ता से पंजीहत कराया गया है और इस पर श्रेष्ट धन राशि 10,175 हपये (दस हजार एक सौ पण्छत्तर) रहते हुए इस का आंशिव उपयोग (85436 रुपये की सीमा तक) कर लिया गया था।

इस तर्क के समर्थन में आवेदक ने एक शपथ पन दाखिल किया है। मैं संतुष्ट हूं कि लाइसेंस सं० पी/ई आई/0143615/सी/एक्स/एक्स/25/सी/सी/25-26 दिनांक 25-5-67 की मूल सीमा शुल्क प्रति खो गई है और निदेश देता हूं कि आवेदक को सीमा शुल्क प्रति की अनुलिपि जारी की जाए। लाइसेंस की मूल सीमा शुल्क प्रति रह की जाती है।

[संख्या 65(5)(111)-5/62/ए एम 68/ई ब्राई-1]

एम० एस० पूरी,

उप मुख्य नियंत्रक, भ्रायात निर्यात, कृते संयुक्त मुख्य नियंत्रक, भ्रायात-निर्यात ।

## (Office of the Chief Comptroller of Imports and Exports)

#### ORDER

New Delhi, the 22nd March 1971

S.O. 1461.—The Director of Education, Nagaland, Kohima was granted C.C.P. No. G/J/2339792, dated 25th January, 1971 for import of Swedish gift papers He has requested for the issue of duplicate copy of CCP on the ground that the original C.C.P. has been lost by him. It has been further reported by the licensee that this C.C.P. was lost without having been registered with any customs authority or utilised at all.

In support of their contention the applicant have filed an affidavit. The undersigned is satisfied that the C.C.P. No. G/J/2339792, dated 25th January, 1971, has been lost and directs that duplicate copy of the said C.C.P. should be issued to him. The original CCP has been cancelled. Duplicate copy of the CCP is being issued separately.

[No. 3/SG/232.70-71/PLS/B/2279.]

S. K. USMANI,

Deputy Chief Controller of Imports & Exports for Chief Controller of Imports & Exports

(मुख्य नियंत्रक ग्रायात-नियति का कार्यालय)

#### ग्रादेश

नई दिल्ली, 22 मार्च, 1971

एस० औ० 1461.—शिक्षा निदेशक, नागालेंग्ड, कोहिमा को स्वीडिश गिफ्ट कागज के आयात के लिए सीमा शुक्क निकासी परिमट संख्या जी/जे/2339792, दिनांक 25-1-71 स्वीकृत किया गया था। उसने अनुलिपि सीमा शुक्क निकासी परिमट के लिए इस आखार पर आवेदन किया है कि मूल सीमा शक्क निकासी परिमट उसके द्वारा खी गया है। लाइसेंसबारी द्वारा भावे यह बताया गया है कि यह परिमट बिना किसी सीमा शक्क प्राधिकारी के पास अवेदिक करण और बिना प्रयोग किए खी गया है ।

द्मपने तक के समर्थन में झावेदक ने एक अपथ पत जमा किया है। अधोहस्ताक्षरी इससे सं-ट है कि सीमा मुल्क निकासी परिमिट संख्या : जी/ जे/2339792, दिनांक 25-1-71 खो या है और निदेश देता है कि उसे उक्त सीमा शुक्क निकासी परिमट की अनुलिप प्रति जारी की ानी चाहिए। मूल सीमा शुल्क निकासी परिमद रह कर दिया गया है। अनुलिपि सीमा शुल्क रमिट अलग से जारी की जा रही है।

[संख्या : 3/एस जी/232/70-71/पी एल एस/बी/2279]

एस० के० उस्मानी, उप-मध्य नियंत्रक, ग्रायात-निर्यात, कृते मुख्य नियंत्रक, ग्रायात-निर्यात ।

## (Office of the Chief Controller of Imports & Exports)

#### ORDER

New Delhi, the 23rd March 1971

- S.O. 1462.—M/s. Coronet Canning Co., Raj Mandir, Malpe. Mysore were anted an import licence No. P[C]2061907[S]BB|36[H|27-28]CG.III, dated 30th eptember, 1970 for Rs. 43,640 (Rupees Forty Three Thousand, Six Hundred and rty only). They have applied for the issue of duplicate Customs Purposes de Exchange Control Purposes copies of the said licence on the ground that e original Customs Purposes and Exchange Control Copies have been lost/misaced. It is further stated that the original Customs Purposes copy was not gistered with any Customs House and was not utilised at all and the balance it was Rs. 43,640.
- 2. In support of this contention, the applicant has filed an affidavit. I am cordingly satisfied that the original Customs Purposes and Exchange Control pies of the said licence have been lost. Therefore, in exercise of the powers inferred under Sub-clause 9(cc) of the Imports (Control) Order, 1965, dated in December, 1955 as amended, the said original Customs Purposes and Extended Control Purposes copy of licence No. Pic 266 1907 SIBB 36 H 27-28 CG.III, ited 30th September, 1971, issued to M/s Coronet Canning Co., Mysore are broky cancelled. reby cancelled.
- 3. A duplicate Customs Purposes as well as Exchange Control Purposes copy the said licence is being issued separately to the licensee.

[No. 28]33|60-71|CG.III.]\*\*

S. A. SESHAN.

Dy. Chief Controller of Imports and Exports.

## मुख्य निरंत्र हे, श्रायाय-निर्यात का कार्यालय

#### ग्रादेश

## नई दिल्ली, 23 मार्च 1971

एस० भो० 1 462-सर्वभी कोरानेट कैनिंग कं०, राज मन्दिर, माल्पे, वैसूर को 43,640/-ाये (तेंतालीस हजार छ: सौ बालीस रुपये मान्न) के लिए ग्रायात लाइसेंस संख्यां, पी/सी/2061907/ <sup>1/वी वी/36/एच/27-28/सी जी-3, दिनांक 30-9-1970, स्वीकृत किया गया ना । उन्होंने</sup> त लाइसेंस की प्रनुविधि सीमा शुल्क कार्य सम्बन्धी तथा मुद्रा विविधय निर्मक्षण प्रतियों के ए इस घाषार पर कार्बेदन किया है कि मूल प्रतियों को गई है/सस्यानस्य हो गई हैं। पाने ह बताया गया है कि बुल सीया जुन्क कार्य सम्बन्धी प्रति किसी भी सीमा जुन्क कार्यासय पंजीकृत नहीं की वह दी ब्रोट इंसका मिल्कुल उपयोग नहीं किया गया या बोर इसमें नैक 43.640/\_mar #

- 2. इस तर्क के समर्थन में भावेदक ने एक शपथ पत जमा किया है। तत्रनूसार में इस संतुष्ट हूं कि उक्त लाइसेंस की मूल सीमा शुल्क कार्य सम्बन्धी तथा भुद्रा विनिमय नियंत्रण प्रतिर खो गई हैं। इसलिए यथा संशोधित आयात (नियंत्रण) भादेश, 1955 विनांक 7-12-1955 व उपधारा 9 (सी सी) के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए लाइसेंस संख्या पी/सी 2061907/एस/बी बी/36/एच/27-28/सी जी-3, विनांक 30-9-1970 की उक्त सीर शुल्क कार्य सम्बन्धी तथा मुद्रा नियंत्रण प्रतियां जो सर्वश्री कोरोनेट कैनिंग कं० मैसूर के ना में जारी की गई थी, एतद्द्रारा रह की जाती हैं।
- 3. उक्त लाइसेंस की ग्रनुलिपि सीमा-शुल्क प्रति तथा मुद्राविनिमय नियंत्रण प्रति झलगः जारी की जा रही है।

[संख्या 28/33/60-71/सी जी3

एस० ए० सैशन् उपमुख्य नियंत्रक, भाषात निर्यातः।

## MINISTRY OF IRRIGATION AND POWER

#### **ORDERS**

New Delhi, the 23rd March 1971

- S.O. 1463.—In exercise of the powers conferred under Sub-rule (2) of Rule II of the Indian Electricity Rules, 1956, the Central Government hereby directs the with a view to accommodate M/s. Neyveli Lignite Corporation Limited in respect of use of special type 500 litres Wheel Excavator, Serial No. 1232 the provisions Rule 122(g) of the Indian Electricity Rules, 1956 shall be relaxed in case of unarmoured and un-screened, 3/4 core, 400 volts flexible cable in permanent fixture in the excavator generally in conduits except in certain parts where the cable countries the encased in metallic casing to permit the movement of the swings, boom and other parts, subject to the following conditions:—
  - 1. 400 volts system shall be covered by suitable earth leakage protection.
  - 400 volts flexible cable either in conduits or un-eneased shall be adequately taken care of for mechanical damage.
  - Efficient earth continuity of 400 volts system shall be ensured and main tained at a low resistance.
  - 4. The relaxation granted may be amended or withdrawn if considers necessary at any time in the interest of safety.

[No. EL. II.6(7)/64

## सिचाई भीर विद्युत मंत्र लय

## श्रादेश

## नई दिल्ली, 23 मार्च 1971

एँस० ओ० 1463 — भारतीय विद्युत्त नियमावली 1956 के नियम 133 के उप नियम (2 के अधीन भवत मिनतयों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्रारा आदेश देती है कि मैस निवेदी लिक्नाइट कारपोरेशन लिमिटेड को किशेष किस्म के 500 लिट्ड के अन्त अतिह (व्हिंड एक्सईवेटर) कम संख्या 1232 के अयोग के लिए काबिल बनात के हेतु आस्तीय विद्युत्त नियम सन्ति के उपबच्छों को सन्ति में साधारणत्या कम्बुद्धों में जन ही जानों को छोड़ कर जहां सिवर्गों वूगों तथा अन्य आगों को हिलने देते है सिए केवलों को भी के किसव में बन्द नहीं किया जा सका पत्के रूप से सवी सक्वित्रत तथा सनावेस 3/4 की

00 बोस्ट मुनम्य केंबल के संबंध में शिथिल किए जार्ये किन्तु ये शिथिलताएँ निम्नलिखित धितयों में होंगी :

- (1) 400 बोल्ट प्रणाली के लिए उपयुक्त ग्रर्थ साव संरक्षण का प्रबंध होगा।
- (2) कन्डुइटों में प्रथवा विना कवचों के 400 वोल्ट सुनम्य केवलीं को यान्त्रिक क्षतियों से बचाने के लिए पर्याप्त ध्यान रखा जायगा ।
- (3) 400 बोल्ट प्रणाली को सुद्क्ष भूयोजन (ग्रर्थ) सांतत्य को निम्नतनाव पर सुनिश्चित ग्रीर कायम रखा जायगा।
- (4) सुरक्षा के हित में यदि किसी संय अमावश्यक समझा जाय तो स्वीकृत रिम्रायत का संशोधन किया जा सकता है या उसे वापिस किया जा सकता है।

[सं र्इ एल II 6 (7)/69]

### New Delhi, the 25th March 1971

S.O. 1464.—In exercise of the powers conferred by Sub-Rules (2) of Rule of the Indian Electricity Rules, 1956, the Central Government hereby directs provisions of—

- (i) Rule 118(a),
- (ii) Rule 119(1)(a).
- (iii) Rule 122(g); and
- (iv) Rule 123(5), (6), (7);

the said rules shall be relaxed in respect of the use of following apparatus in junction with one Special type 500 Litres Wheel Excavator, Serial No. 1281.—

- (a) Two Nos. 400 amps each 10 kV gang operated isolating switches. Siemens make serial Nos. S.68/56483 and S.68/56481 housed in dust proof cubicles in the excavating machine, one being used as bottom isolator at the Bucket Wheel Excavator and the other being used as top isolator in the said excavator;
- (b) One 630 amps 10 kV, 250 MVA manual operated oil circuit breaker fitted with overload and earth leakage protection, Siemens make, serial No. S. 30726835 controlling 11 KV supply to 800 KVA 11 kV/.4KV transformer installed in the Wheel Excavator;
- (c) One 800 KVA, 11KV/.4KV, 3 phase, transformer, Carbe Lahmeyar & Co. West Germany, Serial No. 858785, neutral of medium pressure system earthed;
- (d) One length of 800 metres, 4 crores, 35 sq. m.m. (3 power cores and one earth core) 10KV special type rubber insulated neoprene sheathed unarmoured and unscreened flexible cable for transmitting 11 KV supply to the excavator;
- (e) Short lengths of unarmoured and unscreened 3 core and 4 core, 400 volts flexible cables for supplying power to the auxiliary equipment and drives in permanent fixture, generally in conduit, except in certain parts where the cable cannot be encased in metallic casing to permit movement of booms, swings and other parts in the excavator.

in the Opencast Mine at Neyveli of M/s. Neyveli Lignite Corporation Limited the extent that (1) in relaxation of Rule 118(a), the Wheel Excavator may used at 11KV, (2) in relaxation of Rule 119 1)(a), One 800 KVA, 41KV/406 lts, 3 phase fransformer and 10 KV isolating switches and also 10 KV oil circuit aker installed in the excavator for controlling 11 KV supply to the transformer y not be fixed apparatus as being installed on the portable excavator moving m place to place the same having a portable sense; (8) in relaxation of Rule (9), portions of unarmoured and unscreened 3 core and 4 core 400 volts flexible used for interconnection between different motors and their control gears talled in the Excavator which could not be encased in metallic cashing to permit movement of swing, booms and other parts may remain unercased; and (4) relaxation of sub-rules (8), (8) & (7) of Rule 123, 11KV flexible trailing cable opling 11KV energy to the excavator shall not be provided with starting metallic centing or pliable armouring and the said flexible cable not exceeding 300 metres

in length may be used and that the relaxation shall be subject to the followin

- The 11KV system in conjunction with the transformer installed in the excavator shall be controlled by a circuit breaker of requisite over current and earth leakage protection.
- 2. The 11KV flexible trailing cables shall be attached at all ends by suit able bolted type connectors.
- 3. No unauthorised person shall handle the 11KV flexible training cable Any damage noticed on the cable shall be forthwith properly repaired by vulcanisation or cable replaced.
- 4. The flexible trailing cable at 11KV shall be adequately protected from mechanical damages and the same shall be kept clear of all obstructions and vehicular traffic.
- 5. The 11KV flexible training cable shall be examined once in 24 hours by competent persons duly authorised for the purpose.
- 6. The earth continuity of 11KV systems should be ensured and maintained as far as possible at a low resistance.
- The 400 volts systems shall be covered by suitable earth leakage protection.
- 8. The 400 volts flexible trailing cables either in conduits or encased, in use in the excavator of the transformer feeder shall be adequately taken care of for mechanical damages.
- 9. The layout of the flexible cables shall not encounter any obstruction. Any damage noticed anywhere in the flexible cables shall be forthwith efficiently vulcanised or the portion replaced. These cables shall be attached at all ends by means of bolted type plug connectors.
- Efficient earth continuity of the 400 volts system shall be ensured and maintained at a low resistance.
- 11. The entire electrical installation including the flexible trailing cables used in the system at 11KV, 400 volts or 110 volts shall be adequately supervised by competent persons only authorises in this behalf, who shall regularly inspect the systems so as to obviate any danger.
- .2. Earnest endeavour shall be made to replace unarmoured 11KV flexible trailing cable for transmitting 11KV energy to the excavator by indigeneous make pliable armoured flexible cable at an early date.
- 13. The operator of the excavator shall be trained and duly authorised for operating the excavator with competency and due care to avoid danger.

Provided that the aforesaid relaxation shall be valid for such time as the same machine is in use in the mine and due information shall be given to the Central Government through the Deputy Director of Mines Safety (Electrical-Hqs). as soon as the machine is taken out of the mine.

[No. EL.II-6(1)/68.]

M. RAMANATHAN, Dy. Director (Power)-

## नई दिल्ली, 25 मार्च 1971

क रू० आ o 1464 — भारतीय विद्युत् नियमावली, 1956 के नियम 133 के उप-नियम (2) द्वारो प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार का यह आदेश है कि उपयुक्त नियमावली के

- (1) नियम 118 (क)
- (2) नियम 119 (事),
- (3) नियम 122 (छ), भीर
- (4) **बियम 123 (5). (6) (7)**

उपबन्धों को भैसर्स नेवली लिग्नाइट कार्पेरिशन किमिटेड की नेवली में स्थित झोपनकास्ट खान कम संख्या 1281 पर एक विशेष किस्म के 500 लिटर के चक्र खनित (व्हील एक्सकेवटर) साथ निम्नोक्सित उपस्कर के प्रयोग के सम्बन्ध में शिथिक किया आये :—

- (क) दो 400 एम्पीयर जिनमें से प्रत्येक 10 के वी गेंग प्रचारित बाइसोलेटिंग स्विच, सीमेन्स, द्वारा बनाये गए हैं। उनकी कम संख्या एस०68/56483 और एस०/68/-567481 है और उत्खन्न कम संख्या (एक्सकैवटिंग) मशीन में धूल रोधी कक्षकों में पड़ हैं—एक को बेकेट चक्र खनित्न में बोटम ग्राइसोलिटर के रूप में प्रयोग में लाया जा रहा है भीर दूसरे को उक्त श्रधिनियम खनित में टॉप ग्राइसोलेटर के रूप में।
- (ख) एक 630 एम्पीयर 10 के वी 250 एम वी ए हस्त प्रचारित आंयल सर्किट बकर जिसमें अधिभार तथा भू साव सरकाण का प्रबन्ध है। यह सीमेन्स द्वारा बनाया गया है और इसकी कम संख्या एस 30726835 है। यह 800 के वी ए ।। के वी/4 के वी ट्रांस्फार्मर को, जो चक्र खनिज में लगा हुआ है, नियन्त्रित करता है।
- (ग) कार्बेलामेयार एण्ड को॰ पश्चिम जर्मनी द्वारा निर्मित एक 800 के वी ए, ।। के वी/.4 के वी, 3 फेज, ट्रांस्फार्मर, जिसकी कम संख्याहै 858785 है भीर जो भर्च की गई मध्यम दबाब प्रणाली को निरावशित करता है ।
- (खिनज) खिनत को ।। के बी सप्लाई प्रेयित करने के लिए एक 800 लिटर लम्बी 4 कोर, 35 वर्ग मिलिमीटर (3 विद्युत् गोर और। भू कोर) 10 के वी स्पेशल टाईप के रवर इन्सूलेशन नियोग्रीन आच्छादित अकवित तथा अनावृत्त लचकदार केवल।
  - (ङ) खिनत में बूमों, स्विंग्स तथा अन्य भागों को हिसते रहने देने के लिए, उन कुछ भागों को छोड़ कर जहां केवलों को धातु के बने केसिंग में बंद नहीं किया जा इसकता, साधा-रणतया कन्दूबटर में, स्थायी रूप से सगी आनुषंगिक मशीनों और ड्राइवों को विद्यृत् की सम्लाई करने के लिए छोटी-छोटी अकवचित तथा अनावृत्त 3 कोर और 4 कोर, 400 वील्ट वासी सुन्म्य केवलें।

(1) वनित्र में प्रीतिकांगत दुस्तकार के बाज ११ के वा प्रणावा करोबात कानरकार बार पूजान बंध्यक के बॉक्ट क्रकर कार्य विकासित केवत ।

- (2) ।। के वी सुनम्य ट्रॉलंग केवल सभी किनारों पर उपयुक्त बोल्ट लगी किस्म के सम्प से जोड़े जाएंगे।
- (3) कोई भी अनिधकृत व्यक्ति ।। के वी सुनम्य ट्रॉलग केवल को हैन्डल नहीं करेगा। केव पर दिखाई दिया गया कोई भी नुक्स वल्केनाइज करके अथवा केवल बदस कर हं किया जाएगा।
- (4) ।। के वी पर सुनम्य ट्रेलिंग केवल यान्त्रिकीय क्षति से बचाई जाएगी भीर इसे सभी रुक वटों तथा गाड़ियों से सुरक्षित रखा जाएगा?
- (5) ।। के वी सुनम्य ट्रेलिंग केवल की 24 घंटों में एक बार जांच उस व्यक्ति द्वारा की जाए जो इस उद्देश्य के लिए अधिकृत हों।
- (6) ।। के वी प्रणालियों का भू—योजन सांतत्य यथासम्भव निम्न तानाव पर सुनिकि तथा पोषित किया जाएगा।
- (7) 400 वोल्ट प्रणाली उपयुक्त भू स्रांव से सुरक्षित की जाएगी ।
- (8) ट्रांरपार्मर फीडर के खिनत्र में प्रयुक्त, कंडुइट मथवा केसिंग लगे 400 प्वोल्ट की मुन ट्रेंलिंग केवलों के कोई यान्त्रिकीय नुकसान न हो जाए इसके लिए उनका प्रयां ध्यान रखा जाएगा ।
- (9) सुनम्य केबलों को लगाने में कोई बाधा नहीं भाएगी। सुनम्य केबलों में देखे गए वि भी नुक्स को तुरन्त और दक्षता पूर्वकज बल्कनाइज कर दिया जाए भ्रथवा उस भाग को बदल दिया जाएगा। सभी किनारों पर इन केबलों के साथ वं टाइप के प्लग कनेक्टर लगाए जाएंगे।
- (10) 400 बोल्ट प्रणाली का सुदक्ष भू योजन—सांतत्य निम्न तनाव पर सुनिश्चत किया जाए श्रीर कायम रखा जाएगा।
- (11) ।। के वी, 400 वोल्ट श्रयवा 110 वोल्ट पर प्रणाली में प्रयुक्त सुनम्य ट्रेलिंग के क समेत समस्त विदयुत प्रतिष्ठापन की देख भाल उपयुक्त व्यक्तियों द्वारा कि जाएगी। इस उद्देश्य के लिए श्रिष्ठकृत होंगे यह व्यक्ति प्रणालियों की नियमित रूप में रे भाल करते रहेंगे ताकि कोई डर न रहे ।
- (12) देशी आनम्य कविचित सुनम्य केवल द्वारा खिनित्र को ।। के **बी विदयुत प्रेषि**त श के लिए अविचित ।। के वी सुनम्य ट्रेलिंग केवल को बदलने के लिए गम्भीर प्रव किए जाएगे।
- (13) खनित के प्रचालक को, किसी भी खतरे से बचने के लिए प्रशिक्षित किया जाए श्रीर खनित के प्रचालन के लिए श्रीधकृत किया जाएगा।

शर्त यह है कि उक्त शिथिलता तब तक ही लागू होगी जब तक उसका खान में प्रयोग होता रहेगा है जब यह खान से बाहर ले जाई जाएगी, तो इसके बारे में उप निदेशक, खान सुरक्षा (विक्री मुख्यालय), के जरिए केन्द्रीय सरकार को उचित सूचना भेज दी आएगी।

[सं० ई एल० 2-6(1 /68 एम० रामनावन, उप निदेशक (विद्युत)

#### CABINET SECRETARIAT

#### (Department of Personnel)

#### New Delhi, the 27th March 1971

- S.O. 1465.—In exercise of the powers conferred by section 3 of the Delhi special Police Establishment Act, 1946 (25 of 1946), the Central Government hereby specified the following offences as the offences which are to be investigated by the Delhi Special Police Establishment, namely:—
  - (a) offences punishable under sections 285, 286, 426 and 436 of the Indian Penal Code (45 of 1860);
  - (b) attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned in clause (a) and any other offence committed in the course of the same transaction arising out of the same facts.

[No. 228/4/71-AVD.II.]

### मंत्रिमण्डल सिख्वालय

(कार्मिक विशाग)

नई दिल्ली, 27 मार्च, 1971

का० था० 1465—दिल्ली विशेष पुलिस स्थापन श्रधिनियम, 1946 (1946 का 25) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा निम्नलिखित अपराधों को ऐसे अपराधों के रूप में, निर्दिष्ट करती है, जिनका दिल्ली विशेष पुलिस स्थापना द्वारा श्रन्वेपण किया जाना है, अर्थात् :—

- (क) भारतीय दण्ड संहिता (1860 का 45) की धारा 285,286, 426 और 436 के अधीन दंडनीय अपराध.
- (ख) खण्ड (क) में उल्लिखित एक या अधिक अपराधों के बारे में, या इससे संबंधित किये गये प्रयत्न, उकसाहट और षडयंत्र और उन्हीं तथ्यों से उत्पन्न होने वाली उसी किया के दौरान किये गये कोई अन्य अपराध।

सं0 228/4/71-ए० वी० ०डी-2

#### ORDER

New Delhi, the 27th March 1971

S.O. 1466.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), and of all other powers enabling it in this behalf, the Central Government, with the consent of the Government of the State of Maharashtra, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Maharashtra for the investigation of the offences punishable under sections 285, 286, 304-A, 426 and 436 of The Indian Penal Code (45 of 1860) and any other offence committed in the course of the same transaction in regard to the explosion in the High Explosive Factory, Kirkee, on the 4th February, 1971.

[No. 228/4/71-AVD.II.] B. C. VANJANI, Under Secy.

#### मादेश

## नई दिल्ली, 27 मार्च 1971

का॰ आ॰ 1466—दिल्ली विशेष पुलिस स्थापन ममितियम, 1946 (1946 का 25) की भारा 6 के साथ पठित भारा 5 की उप-भारा (।) द्वारा प्रवत्त मक्तियों भीर इस निमित्त सेउसे समर्थ बनाने वाली ग्रन्य सभी शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा, महाराष्ट्र राज्य की सरकार की सहमित से, दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और अधिकारिता का, भारतीय दण्ड संहिता की धाराओं 285, 286, 304—क, 426 एवं 436 के अधीन दण्डनीय भपराधों और किसी ग्रन्य, अपराध, जो कि 4 फरवरी, 1971, को किरकी स्थित उच्च विस्फोटक फैक्टरी, (हाई एक्सप्लोजिव फैक्टरी) में हुए विस्फोटक के संबंध में किये गये हों, का ग्रन्वेषण करने के लिए, महाराष्ट्र राज्य में विस्तार करती है।

[सं० 228/4/71-ए०वी०डी०-2] बी० सी० वनजानी, ग्रवर सिचव ।

#### LOK SABHA SECRETARIAT

New Delhi, the 27th March 1971

S.O. 1467.—Shri G. G. Swell, a Member of Lok Sabha, has been chosen as the Deputy Speaker of Lok Sabha on the forenoon of the 27th March, 1971.

[No. 13/1/71/T.]

S. L. SHAKDHER, Secy.

## लोक सभा सचिवालय

नई दिल्ली, 27 मार्च, 1971

एस॰ सो॰ 1467--श्रीजी॰ जी॰ स्वैल, लोक सभा सदस्य को, 27 मार्च, 1971 को पूर्वीहन में लोक सभा का उपाध्यक्ष चुन लिया गया है।

[सं॰ 13/1/71/टी॰]

श्याम लाल शक्धर, सचिव ।

#### MINISTRY OF INDUSTRIAL DEVELOPMENT AND INTERNAL TRADE

#### (Department of Industrial Development)

#### Indian Standard Institutions

New Delhi, the 12 August 1970

\$. 0: 1468—In partial modification of the then Ministry of Commerce and Industry (Indian Standards Institution) not ficatiatic. No. S.O. 1517 dised 23 June 1961, published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 1 July 1961, the Indian Standards institution hereby notifies that the marking fee per unit for unreinforced corrugated asbestos dement sheets has been revised. Therevised rates of marking fee, details of which are given in the Schedule here to annexed, shall dome into force with effect from 1 May 1970.

#### THE SCHEDULE

Serial No.	Product/Class of Product	No. and Title of Relevant Indian Standard	Unit	Marking fee per unit	
(1)	(2)	(3)	(4)	(5)	
1 Uninforced corrugated asbestos coment sheets.		IS: 459-1962 Specification for unreinforced corrugated asbestos cement.	Onetonne (i) 20 paise per unit upto 12,500 units and  (ii) 10 paise per unit for the 12,500 first unit and above.		
***************************************	nagyahinka musa sanga-umasandhahinka-unangagagagaga dikerahinka sang-barawa-ahin	a copera complete selectic commerci. Petrole des palabagos mossos as secuente de formalizado esculva em matera	ta tanakun suurinna unas <del>palaaspuntoinati</del> nnu	[No. CMD/13.: 10.]	

A. K. GUPTA

Deputy Director General

## सीद्योगिक विकास तथा सांतरिक व्यापार मंत्रालय

(भौद्योगिक विकास विभाग)

(भारतीय मन्त्रक संस्था)

नई दिम्ली, 12 ग्रगस्त, 1970

काः आः 1468—भारतीय राजपत्न भाग 2, घारा 3 के उपखण्ड (ii) में दिनांक 1 जुलाई 1961 को प्रकाशित तत्कालीन उदयोग और वाणिज्य (भारतीय मानक संस्था) अधिसूचना सं एस भो 1517 दिनांक 23 जून 1961 के म्रांतरिक संशोधन के रूप में भारतीय मानक संख्या की भोर से सूचित किया जाता है कि म्रप्रबलित एस्बेस्ट्स सीमेण्ट की चददरों पर मुहर लगाने के प्रति इकाई फीस में परिवर्तन किया गया है। यहां मनुसूची में मुहर लगाने की जो परिवर्तित फीस व्यौरे सहित दी गई है वह 1 मई 1970 से लागू हो जाएगी।

## ग्रनुसूची

कम संख्या	वस्तू /वस्तू का वर्ग	तत्सम्बन्धी भारतीय मानक की संख्या तथा शीर्षक	इ <b>काई</b>	प्रति इकाई मुहर लगाने की फीस	
(1)	(2)	(3)	(4)	(5)	
1.	ग्रप्रवलित लहरदार ऐस्बेस्टस सीमेण्ट की चददर	459–1962 सप्र– बलित लहरदार ऐस्बेस्टस सीमेण्ट की विशि <sup>टि</sup> ट	एक मीटरी टन	(1) 20 पै प्रति इकाई, 12,500 इकाई तक (2) 12,500 इकाई से ऊपर 10 पसे प्रति इकाई	

[संख्या सी एम डी/13:10] ए० के० गुप्ता, उप महानिदेशक।

#### (Department of Banking)

New Delhi, the 2nd March 1971

S.O. 1469.—Statement of the Affairs of the Reserve Bank of India, Banking Department as on the 19th February, 1971.

## BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS Rs.
Capital Paid Up	5,00,00,000	Notes
		Rupee Coin
Reserve Fund	150,00,00,000	Small Coin
National Agricultural Credit (Long Term Operations)	172,00,00,000	(a) Internal
Fund 18 19		(b) External (c) Government Treasury Bills
National Agricultural Credit (Stabilisation) Fund	37,00,00,000	Balance held abroad*
National Industrial Credit (Long Term Operations) Fund	95,00,00,000	(i) Central Government
Language Artist Control of the Contr		(ii) State Governments@ 185,50,65,000
Depos ts:— (a) Government		Loans and Advances to:  (i) Scheduled Commercial Banks†
(i) Central Government	308,26,54,000	(ii) State Co-operative Banks†† 289,46,08,000
(ii) State Governments	5,01,37,000	(iii) Others 3,60,90,000
Significants (	-	Loans, Advances and Investments from National Agri- cultural Credit (Long Term Operations) Fund

LIABILITIES		Rs.	ASSETS	Rs.
(b) Banks	>s		(a) Loans and Advances to:-	Andrew Probability of the State
(i) Scheduled Commercial Banks	I	91,52,94,000	(i) State Governments	34,12,97,000
(ii) Scheduled State Co-operative Banks	•	8,34,60,000	(ii) State Co-operative Banks	20,46,63,000
(iii) Non-Scheduled State Co-operative Ba	nks .	85,46,000	(iii) Central Land Mortgage Banks	• •
(iv) Other Banks		31,04,000	(b) Investment in Central Land Mortgage Bank Debentures Loans and Advances from National A3 ricultural Credit (Stabilisation) Fund	9,59,42,000
(e) Others:		74,52,50,000 .6,20,35,000	Loans and Advances to State Co-operative Banks .	4,74,14,000
		- <del>-</del>	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund	· -
Other Liabilities	I	27,84,39,000	(a) Loans and Advances to the Development Bank.	29,83,71,000
· &			(b) Investment in bonds/debentures issued by the Development Bank	••
			Other Assets	41,57,29,000
Rupees	1221	,89,19,000	Rupees	1221,89,19,000

<sup>\*</sup>Includes Cash, Fixed Deposits and Short-term Securities.

<sup>\*\*\*</sup>Buchding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

<sup>@</sup>Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

<sup>†</sup>Includes Rs. 237,94,50,000 advanced to scheduled commercial Banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

<sup>††</sup>Bxcluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit Stabilisation) Fund.

# An Account pursuant to the RESERVE BANK OF INDIA ACT, 1934, for the week lended the 19th day of February 1971.

### ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS		Rs.	Rs.
			Gold Coin and Bullion :		anganan Military disercent Andreas Anneses — Papaling Anneses — Qu	are Princ Bines Haves Hales Hiller Hiller H
Notes held in the Banking Department	11,78,50,000		(a) Held in India .		182,53,11,000	
			(b) Held outside India.		••	
Notes in circulation	4171,88,10,000		Foreign Securities .		273,42,00,000	
Poral Notes issued		4183,66,60,000	Total	t	• •	455,95,11,000
			Rupee Coin			53,47,41,000
			Government of India Rupe	e Securities		3674,24,08,000
			Internal Bills of Exchange commercial paper	and other		•••
TOTAL LIABILITIES	****	4183,66,60,000	TOTAL ASSETS .			4183,66,60,000
lated the 24th day of February, 1971.	and de design and desi		Autoritation (Control of Control		•	JAGANNATHAN, Governor. J. F. 3(3)-BC/71

# वित्त मंत्रालय

# (बेंकिंग विमाग)

# नई दिल्ली, 2 मार्च, 1971

एस० भ्रो॰ 1469 .-- 19 फरवरी, 1971 को रिजर्व बैंक ग्रॉफ इंडिया के बैंकिग विभाग के कार्यकलाप का विवरण

देयता	ŧ		रुपये	भ्रास्तियां				रुपये
कुसता पूंजी	*	•	. 5,00,00,000	नोट .		•	•	11,78,50,000
प्रारक्षित निधि .	•		. 150,00,00,000	रुपये का सिक्का		•	•	5,37,000
राष्ट्रीय कृषि ऋण	•	•	•	छोटा सिक्का	•	•		. 4,28,000
(दीर्घकालीन क्रियाएं) निधि	•		. 172,00,00,000	खरीदे और भुनाये गये	विल :			
जिट्टीय कृषि ऋण				(क) देशी	•	•		94,40,000
(स्थिरीकरण) निधि	•		. 37,00,00,000	(ख) विदेशी				
ष्ट्रीय भौद्योगिक ऋण				(ग) सरकारी खजाना	बिल	•	•	14,65,15,000
(दी वंकालीन कियाएं) निर्धि	<b>.</b>	•	. 95,00,00,000	विदेशों में रखा हुआ। व	काया*			91,04,22,000
माराशियां —				निवेश**		•		99,56,88,000
				ऋण ग्रौर ग्रग्रिम :				
(क) सरकारी-								
(i) केन्द्रीय सरकार .		•	. 308,26,54,000	(i) केन्द्रीय सरकार	(को		٠.	• •
(में) राज्य मरकारें .	. •	• .	5,01,37,000	(iii) राज्य सरकारो	को†	• •. •		18,5,50,65,000
(व) वैक				ऋण ग्रीर ग्रप्रिम :				
(i) धनुसूचित वाणिज्य वैन	Б.	• •	. 191,52,94,000	(i) ग्रनुसूचित वा	णिज्य बैंकों व	हो † .		384,88,60,000
(ii) अनुसूचित राज्य मह		•	8,34,60,000	(ii) राज्य सहकार	ो बैंकों को	† .		28 9, 46, 08, 000
4 4 40				(iii) दूसरों को			•	3,60,90,000

जगन्नाथन, गवर्नर ।

** राष्ट्रीय §राष्ट्रीय	ोय कृषि ऋण ऋषि ऋण	(दीर्घकार्ल। (दीर्घकालीन	न कियाएं) कािएं) ि	नेधि से प्रदत्त ऋण ग्रीर ग्रग्नि	क ऋण (दीर्घकालीन क्रियाएं) न ग्रामिल नहीं हैं, परन्तु राज्य सं चित वाणिज्य बैंकों को मीयादी	रकारों के ग्रस्यायी ग्रोक	विश शामिल नहीं हैं। वरड़ाफ्ट शामिल हैं।
		रुपये		. 1221,89,19,000	i :	रुपये	1221,89,19,000
					(क) विकास बैंक को ऋ (ख) विकास बैंक द्वारा जा में निवेश ग्रन्य ग्रास्तियां		., .,, -,, -, 0, 0, 1
					राष्ट्रीय भौषोगिक ऋण दीर्घक ऋण, भग्निम भौर निवेश	τ <b>β</b>	•
धन्य देयतार्थे		•	•	. 127,84,39,000	राज्य सहकारी बैंकों को ऋष		. 4,74,14,000
देय बिल					राष्ट्रीय कृषि ऋण (स्थिरीकर		-,,,
(ग) भन्य			_	. 74,52,50,000	(iii) केन्द्रीय भूमिबन्धक (ख) केन्द्रीय भूमिबन्धक बैंग	वैंकों को .	20,46,63,000
• •	i				(i) राज्य सरकारों को (ii) राज्य सहकारी बैंकों	ं	34,12,97,000
(iv) ग्रन्य	बैंक .		_	. 31,04,000	ऋण, ग्रयिम ग्रौर निवेष (क) ऋण ग्रौर श्रयिम	1	

तारीच: 24 फरवरी, 1971

रिखर्व बैंक झॉफ इंडिया झिंधानयम, 1934 के झनुसरण में फरवरी, 1971 की 19 तारीख को समाप्त हुंए संप्ताह के लिए लेखा इसू विभाग

देयताएं	रुपये	रुपये	म्रास्तियां	रुपये	रुपये
वैकिंग विभाग में रखे हुए मोट	11.50.50.00	सोने	का सिक्का ग्रीर बुलियन:		ar en
	11,78,50,000		(क) भारत में रखा हुआ	182,53,11,000	
तंचलन में नोट .	41,71,88,10,000		(ख) भारत के बाहर रखा हुम्रा विदेशी प्रतिभृतियां	 273,42,00,000	
गरी किये ग्रये कुल नोट		4183,66,60,000	 जोड़	Material Parks and Section Control Con	455,95,11,00
			रुपये का सिक्का .		53,47,41,00
			भारत सरकार की रुपया प्रतिभूतियां देशी विनिमय बिल ग्रीर दूसरे वाणिज्यन्यत्र		3674,24,08,00
: 4			411444 141		
<b>इस दे</b> यताएं		4183,66,60,000	कुल भास्तियां		4183,66,60,00
	and the second s		ange of many of a 1 a 7 of the photocolour international designation of the photocolour international content of the Content o	एर	र० गजन्नाथन,

# BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS Rs.
Capita Paid Up	5,00,00,000	Notes 3,86,09,0
waa dhaadaa dha		Rupee Coin 2,64,0
teserve Fund	150,00,00,000	Small Coin 4,70,0
		Bills Purchased and Discounted:-
lational Agricultural Credit (Long Term Operations)		(a) Internal 3,37,14,0
Pund	172,00,00,000	(b) External
		(c) Government Treasury Bills 16,06,49,0
ational Agricultural Credit (Stabilization) Fund	37,00,00,000	Balances Held Abroad* 108,07,13,0
		Investments**
		Loans and Advances to:-
ntional Industrial Credit (Long Term Operations) Fund	95,00,00,000	(i) Central Government
		(ii) State Governments@ 262,67,66,0
		Loans and Advances to:
eposits :		(i) Scheduled Commercial Banks† . 395,67,00,0
		(ii) State Co-operative Banks 290,71,17,0
(a) Government—		(iii) Others 4,78,72,0
(i) Central. Government	400,47,81,000	Loans, Advances and Investments from National
(ii) State Governments	6,48,20,000	Agricultural Credit (Long Term Operations) Fund .

	LIAB	ILI	TIES	3			Rs.	ASSETS Rs.
(b) Banks		-		- nadama and observe		eranga an araw ariwana		(a) Lons and Advances to :- (i) State Governments
(i) Scheduled Comm	ercial	Ba	nks				190,35,93,000	(ii) State Co-operative Banks . 19,89,97,000
(ii) Scheduled State	Co-o	pera	tive 1	Banks			8,38,05,000	(iii) Central Land Mortgage Banks
(iii) Non-Scheduled	State	Co-	opera	ative ]	Banks		83,31,000	
(iv) Other Banks						•	27,76,000	Debentures
(c) Other		•	•	•	•		71,42,57,000	Loans and Advances from National Agricultural Credit (Stabilisation) Fund
								Loans and Advances to State Co-operative Banks . 4,35,95,000
								Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund
Bills Payable			•	•		•	54,58,72,000	(a) Loans and Advances to the Development Bank 29,83,71,000
								(b) Investment in bonds/debentures issued by the Development Bank
Other Liabilities			•			•	134,67,92,000	Other Assets
			R	upecs	;	•	1326,70,27,000	Rupees r326,70,27,000

<sup>\*</sup>Includes Cash, Fixed Deposits and Short-term Securities.

<sup>\*\*\*</sup> Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term (Operations) Fund.

<sup>@</sup>Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

<sup>†</sup>Includes Rs. 232,94,00,000 advanced to scheduled commercial banks against usance bills under section 17/47(c) of the Reserve Bank of India Act. †Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

#### An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 12th May of March 1971.

#### ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	3,86,09,000		Gold Coin and Bullion :-		
			(a) Held in India	. 182,53,11.000	
Notes in circulation	4284,56,42,000		(b) Held outside India		
	*		Foreign Securities	. 263,42,00,000	
TOTAL NOTES ISSUED		4288,42,51,000	TOTAL		445,95,11,000
,			Rupee Coin		48,75,34,000
		1	Government of India Rupee Securitie		3793,72,06,000
			anternal Bills of Exchange and other commercial paper	•	••
			lands with		
TOTAL LIABILITIES		4288,4.,51,000	TOTAL ASSETS	•	4288,42,51,000

S. JAGANNATHAN Governor.

Dated the 17th day of March 1971.

[No. F. 3(3)-BC/71.] K. YESURATNAM, Under Secy.

# CORRIGENDUM

In the statement of the Affairs of the Reserve Bank of India, Banking Department as on 22nd January, 1971 published at pages 756-57 of Part II, Section 3(ii) of the Gazette of India issue dated 13th February, 1971 the figure against the head "Deposits:—(a) Government:—(i) Central Government" on the assets side of the statement should be read as 279,94,46,000/- instead 379,94,46,000/-.

नई दिल्ली, 20 मार्च, 1971 एस॰ मो॰ 1470.—12 मार्च, 1971 को रिजर्व वैंक ग्रॉफ इंडिया के बैंकिंग विभाग के कार्यकलाप का विवरण

देयताएं.				रुपये	ग्रास्तियां		Α	रुपये
नुकता पूजी	•			5,00,00,000	नोट .		*	3,86,09,000
मारक्षित निधि			•	150,00,00,000	रुपये का सिक्का	•		2,64,000
राष्ट्रीय कृषि ऋण					छोटा सिक्का	•	•	4,70,000
(दीवंकालीन कियाएं )	निधि	•		172,00,00,000	खरीदे ग्रौर मुनाये गये बिल —			
राष्ट्रीय कृषि ऋण					(क) देशी • •	•	•	3, 37, 14, 000
(स्थिरीकरण) निधि		•	•	37,00,00,000	(ख) विदेशी	•	•	
राष्ट्रीय भौद्योगिक ऋण					(ग) सरकारी खजाना जिल	•		16,06,49,00
(दीर्षकालीन कियाएं) नि	धि		•	95,00,00,000	विदेशों में रखा हुमा बकाया*			108,07,13,000
					निवेश**	•	٠	99, 30, 23, 000
जमाराजियां								
(क) सरकारी			•		ऋण ग्रीर मग्रिम:			
(i) केन्द्रीय सरकार	•	•	•	400,47,81,000	(i) केन्द्रीय सरकार को	•	•	• • • •
(ii) राज्य सरकारें	٠	•	•	6,48,20,000	(ii) राज्य सरकारों को‡ं ऋण ग्रौर ग्रग्निम	•	٠	262,67,66,000
(च) वैक					(i) ग्रनुसूचित वाणिज्य वैंकों को	@	•	395,67,00,00
(i) अनुसूचित वाणिण्य	र्वेफ	•		190,55,93,000	(ii) राज्य सहकारी वैकों को	Ŀ		290,71,17,00
(ii) अनुमूचित राज्य सहकारी वैक				8, 38, 05, 000	(iii) दूसरों को		•	4,78,72,00

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	TO THE PERSON NAMED IN COLUMN TWO IS NOT THE OWNER.			
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	CHOST STATE OF THE PARTY OF THE			
	CROSS SECTIONS			

<b>+कारी</b> शाव	jetympalamijos, sa vieto iertysteiset - pod	हर	ाये		1326,70,27,000	रुपये	1326,70,27,000
					lisyansi kulik kulik kulik kulik pajiga pana kulik maga bahay maga bahar ma	(क) विकास बैंक को ऋगा ग्रौर ग्रग्निम (ख) विकास बैंक द्वारा जारी किये गये बोंडों/डिबें चरों में निवेश ग्रन्य ग्रास्तियां	29,83,71,000
धन्य देगताएं	• ;	•	•	•	134,67,92,000	राज्य सहकारी बैंकों को ऋण ग्रौर ग्रग्रिम राष्ट्रीय ग्रौद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि से ऋण, ग्रग्रिम ग्रौर निवेश	4,35,95,000
(भ) प्राप्य देश विल	•				71,42,57,000 54,58,72,000	(ख) केन्द्रीय भूमिबन्धक बैंकों के डिबेंचरों में निवेष राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधिन से ऋण ग्रीर	श 9,59,42,000
सहकारी (iv) ग्रन्य		•		•	83,31,000 27,76,000	The state of the s	34,12,82,000 19,89,97,000

ल्लाक्या, भावाक्षक जमा भार भल्पकालान प्रातम्। तया भागिल हा

<mark>☀☀राष्ट्रीय कृषि ऋण (दीर्घकालीन कियाएं)</mark> निधि श्रौर राष्ट्रीय श्रौद्योगिक ऋण (दीर्घकालीन कियाएं) निधि में से किये गये निवेश शामिल नहीं हैं। ्राष्ट्रीयकृषि ऋण (दीर्घकालीन कि।एं) निधि मेप्रदत्त ऋण भीर प्रियम शामिल नहीं हैं, परन्तु राज्य सरकारों के ग्रस्थायी भोवरड्राफ्ट शामिल हैं।

(तिर्धिक वैंक भाँफ इंडिया प्रधिनियम की धारा 17(4)(ग) के प्रजान प्रमुखित वाणिज्य वैंकों को मीपादी विलों पर ग्रियम दिया वासे 232,94,00,000/-रुपये जामिल हैं।

£राब्द्रीय कृषि ऋण (दीर्वकालीन कियाएं) निधि भौर राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से प्रदत्त ऋण भौर ग्रग्निम गामिल नहीं हैं।

तारीख 17 मार्च, 1971

	AE	
	ह लिए	
	रूप सप्ताह के लिए ने	
	nco nco	
	तारीख को समाप्त हु।	
	की 12	
र्हिय	1971	
रिबर्वे वैक अपे अपे इंडिय	1934 के अनुसरण में मार्च, 1971 की 12 तारीख को समारत	इश विभाग
	इंडिया प्रधिनियम, 1934मे	
	रिज्यदं वैक मॉफ इंडिया	

			1,000 4,000	9,000	1,000	
हत्त्वय			445,95,11,000 48,75,34,000	3793,72,06,000	4288,42,51,000	एस० जगन्नाचन, मवर्नेर
हित्र	182, 53, 11, 000	263,42,00,000		<b>भ</b> तियां		
भाग प्रास्तियां	सोने कासिकका और बृलियन (क) भारत में रखा हुका (व) भारत के बाहर रखा	र विदेशी प्रति भातया	जोड़ हपये का सिक्का	भारत मरकार की क्षया प्रति भूतियां देणी वितिमय विल भौर दूसरे वागिज्य-पत्न	कुल मास्टियां	
क्रम । व । व । व । व । व । व । व । व । व ।	H.	, वि	4288, 42, 51,000	is the	4288, 42, 51,000	
हपने	3,86,09,000					
देयताएं	वैक्तिग विभाग में रखे हुए नोट संचलन में नोट	<u>!</u>	जारी किये गये कुल नोट		कुल देयताएँ	fte 17 med, 1971

# (Department of Revenue and Insurance)

#### INCOME-TAX

# New Delhi, the 22nd February 1971

0. 1471.—In exercise of the powers conferred by sub-clause (iii) of clause (44) ction 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government y authorise

(1) Shri T. Girirajan (2) Shri S. Arul Bharathy (3) Shri S. Kulandaivelu (4) Shri A. B. Martin David and

(5) Shri S. L. Narasimhan

are Gazetted Officers of the Central Government to exercise the powers of Recovery Officers under the said Act.

This Notification which supercedes Notification No. 36 (F. No. 16/94/69-), dated 1st May, 1969 and Notification No. 122 (F. No. 404/130/70-ITCC), 13th July, 1970, shall come into force on the 1st March, 1971.

[No. 50 (F. No. 404/46/71-ITCC.]

R. D. SAXENA, Dy. Secy.

# (राजस्व ग्रीर बीमा विभाग)

#### ग्रायकर

# नई दिल्ली, 22 फंग्वरी, 1971

एस० ग्रो॰ 1471—ग्रायकर मधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड के उप खण्ड (jii) द्वारा पदत्त मिनियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा

- (1) श्री टी॰ गिरिराजन
- (2) श्री एस० ग्ररुल भारती
- (3) श्री एस० कुलन्दैवेल
- (4) श्री ए० बी० मार्टिन डैविड भीर
- (5) श्री एस० एल० नारसिम्हम

हो केन्द्रीय सरकार के राजपतित अधिकारी हैं, उक्त अधिनियम के अधीन कर वसूली अधिकारी ाक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिमुचना, जो अधिमुचना सं० 36(फा० सं० 16/94/69-आई टी सी सी) व 1.5.1969 और प्रधिसूचना सं 122 (फा॰ सं 404/130/70 पाई टी सी सी) ख 13-7-1970 को प्रधिकान्त करती है, 1 मार्च, 1971 से प्रवृत्त होगी।

[सं • 50 (फा॰ सं • 4 ) 4/46/71-माई टी सी सी) ]

धार० ही। सक्सेना, उप सचिव !

### (Department of Royenue and Insurance)

# New Delhi, the 16th March 1971

D.1472.—In pursuance of paragraph (9) of the Scheme of War Risks Instance of Marine the Central Government hereby publishes, as follows, an account of the sums received into

and paid out of the War Risks (Marine Hulls) Re-insurance Fund during the year ending was March, 1970, namely:—

Account of the sums received into and paid out of the, War Risks (Marine Hulls) Re-ins Fund, during the year ending with 31st March, 1970.

	Rec	eipts		Expendi	ture
igo	Amount	Progress of receipt up to the end of March 1970		Amount	Progress Expendi up to the of Mar
(1)	(2)	(3)	(4)	(5)	(
	Rs,	Rs.	de Ministe Princes Algunes Africano Miligias AMPATA algulano, Alegaling algi	Rs.	R
I. Insurance Pre- mium.	78,17,300	2,78,19,283 01 1	Administrative expenses of the Life Insurance Corporation of India.	24,620 · 00	49,997
c. Advance from Consolidated Fund of India under paragraph 8 (iii).		2	Payment of lia- bilities under the War Risks (Ma- rine Hulls) Re- insurance Scheme under paragraph 8(ii) (showing details if necessary)		
		3.	Repayments of advances made under paragraph 8(ii).		
		4	Miscellaneous Expenditure (showing details if necessary).		6,000
			Refunds of pre- mium Sum s disposed of in accordance with paragraph 8 (iv)		

[No. (F. 52(6)-Ins. 1/70]

M. L. WADHAWAN, Dy. Say

नई दिल्ली, 16 मार्च, 1971

कां मां 1472. समुद्री जहाजों की युद्ध जोखिम बीमा योजना के नैराप्राफ (9) के अनुमरण में, केन्द्रीय सरकार एतद्द्वारा 31 मार्च, 1970 **को समाप्त होने वाले वर्ष के दौरान युद्ध** जीखिम (समुद्री) जहाज पुनर्बीमा निधि मे प्राप्त ाथा उसमें से निकाली गई रकमों का लेखा नीचे लिखे अनुसार प्रकाशित करती है, त्रयीत :--

गई रकमो 31 मार्न, 1970 को समान्त होने वाले वर्ष के दौरान युद्ध जांखिम (समुद्री जहाज) पुनर्वीमा निधि में प्राप्त तथा उसमें से निकाली 一篇 清

		प्राप्तियां			क्रांत
	(केम	मार्च 1969 के ग्रन्त तक जमा की स्थिति	ı	र्सम	मार्च 1970 के मन्ततक व्ययकी स्थिति
	(2)	(3)	(4)	(5)	(9)
1. बीमा किस्त	78,17,300	8,17,300 2,78,19,283.01	<ol> <li>भारतीय जीवन बीमा निगम के प्रशासनिक खर्च</li> </ol>	24,620.00	49.997.84
2. पर्ट् ४ (ग्रां) के प्रत्यांत भारत की समेकित निधि से पेशनी	<b>1</b>		2. पैरा शाफ 8 (ii) के अन्तर्गंत पुद्ध नोखिम (समुद्री जहाज) पुनर्वीमा योजना के अधीन देनदारियों की भ्रदा- यगी पदि आवश्यक हो तो व्योरे दिए जायें)	1	

(1)	(2)	(3)	(4)	(2)	9
			3. पैराप्राफ 8(ii) के जन्तर्गत जैजागमें की ग्रहामितन		
			4. बिविध व्यय (यदि भावण्यक हो तो ह्योरे दिए जाए)		6,000.00
			5. किस्तों की वापसी	•	1
			6. परोग्राफ 8 (1V)के अनुसार ऱ्कमों का निषटान	1	
<u>स</u>	78,17,300,00	2,78,19,283,01	0.1	24,620.00	55,997.84
				[मंक काठ 53 एम० एस॰ व	[संक हा के 52(6)-श्रीमा-1/70] एम० एल० वधावन, उप सचिव ।

#### (Department of Revenue and Insurance)

#### INCOME-TAX

New Delhi, the 20th March 1971

S.O. 1473.—It is hereby notified for general information that the institution mentioned below has been approved by the Council of Scientific and Industrial Research, the "prescribed authority", for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961.

#### Institution

The Family Planning Foundation, New Delhi.

INo. 86/F. No. 203/19/70-TA2.1

# (राजस्य ग्रीर बीमा विमाग)

#### भ्रायकर

नई दिल्ली, 20 मार्च, 1971

एस० मो० 1473.—एतद्दारा सर्वसाघारण की सूचना के लिए मधिसूचित किया जाता है कि नीचे विणत संस्था को वैज्ञानिक भौर भौद्योगिक मनुसन्धान परिषद द्वारा, भायकर मधिनियम, 1961 की धारा 35 की उपघारा (।) के खण्ड (ii) के प्रयोजनार्थ "विहित प्राधिकरण" मनुमोन्दित किया गया है।

#### संस्था

परिवार नियोजन प्रतिष्ठान, नई दिल्ली ।

[सं० 8 6(फा॰ सं॰ 203/19/70-प्राई टी ए 2]

S.O. 1474.—It is hereby notified for general information that the institution mentioned below has been approved by the Council of Scientific and Industrial Research, the prescribed authority, for the purposes of clause (iii) of sub-section (I) of Section 35 of the Income-tax Act, 1961 (43 of 1961):

### Institution

Gokhale Institute of Politics and Economics, Poona.

[No. 87/F. No. 203/24/70-IT(AII).]

S. N. NAUTIAL, Dy. Secy.

एस० औ० 1474.—सर्वसाधारण की जानकारी के लिए एतद्द्वारा अधिसूचित किया जाता है जिन्नानम्तिर्शिखत संस्था को वैज्ञानिक और औद्योगिक अनुसंधान परिषद द्वारा, आयकर अधिनियम, 1561 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए "विहित प्राधिकरण" अनुसोदित किया गया है।

#### संस्था

गोखले राजनीति एवं अर्थशास्त्र संस्थान, पूना ।

[सं० 87 (फा॰ सं० 203/24/70-बाई टी (ए 2)]

्एस० एन० नीटियाल, उप सचिव।

#### (Department of Revenue and Insurance)

# Customs

New Delhi, the 3rd April 1971

S.O. 1475.—In exercise of the powers conferred by clause (a) of section 7 of the Customs Act, 1962 (52 of 1962), the Central Government hereby appoints

the port of Neendakara in the State of Kerala to be a customs port only for the loading of Ilmenite for export.

[No. 27/F. No. 14/5/70-LCII.]

# राजस्य ग्रीर बीमा विभाग

## सीमाशलक

# नई दिल्ली, 3 मप्रैल, 1971

का॰ झा॰ 1475.—सीमा शुल्क ग्रधिनियम, 1962(1962 का 52) की धारा 7 के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतदहारा केरल राज्य में निन्दकरा पत्तन को निर्यात के लिए केरल एलोनाईट के लदान के लिए सीमा शुल्क पत्तन नियत करती है।

[सं० 27 फा० सं० 14/5/70-एल० सी० ग्राई० ग्राई०]

#### STAMPS

#### New Delhi, the 3rd April 1971

S.O. 1476.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits the Maharashtra State Financial Corporation to pay stamp duty, chargeable on the 6 per cent Maharashtra State Financial Corporation Bonds-1981 to the value of two hundred and seventy-five lakhs of rupees, at the consolidated rate of seventy-five paise per cent.

[No. 6/71-Stamps/F. No. 1/44/70-Cus.VII.]

#### स्टाम्प

# नई दिल्ली, 3 श्रप्रैल, 1971

एस० ग्रो० 1476.—-भारतीय स्टाम्प, श्रिधिनियम, 1899 (1899 का 2) की धारा 9 की उनधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा दो सो पचहतर लाख रुपए मूल्य के 6 % महाराष्ट्र राज्य वितीय निगम बन्ध पत्र 1981 पर प्रभार्य स्टाम्प शुल्क पचहत्तर पैसे प्रतिशत की समेकित दर पर संदत्त करने की अनुज्ञा महाराष्ट्र राज्य वित्तीय निगम को देती है।

[संख्या 6/71-स्टाम्प/फा० सं० 1/44/70-सी० गु० 7]

### ORDER

#### **STAMPS**

#### New Delhi, the 3rd April 1971

S.O. 1477.—In exercise of the powers conferred by clause (a) of sub-section (1) of section of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the promissory notes, mentioned in column (2) of the Table below issued by the authority specified therein up to the value mentioned in the corresponding entries in column (3)thereof, are chargeable under the said Act

#### TABLE

S. No.	Promissory notes issued by authority.	Value.
	6 % madras State Electricity Board Loan 1980	Rupees three crores, two lakhs and fifty thousands.
2.	6 % Madras State Electricity Board Loan 1980 (II Series).	Rupees four crores and forty lakh
3.	6 % Tamil Nadu Electricity Board Loan 1981.	
4.	6 % Tamil Nadu Electricity Board Loan 1982.	Rupees six crores and sixty lakhs Rupees six crores and sixty lakhs

[No. 5/71-Stampe/F. No. 1/5/70-Cus. VII.] K. SANKARARAMAN, Under Secy.

### पावेश

# नई दिल्ली, 3 श्रप्रैल, 1971

प्रा॰ 1477.—मारतीय स्टाम्प प्रधिनियम, 18) 9 (1899 का 2) की धारा 9 की उपधारा है खण्ड (क) द्वारा बदल शिवउयों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा उस शुल्क से द्वारा तीवें की सारगी के स्त्रम्भ (2) में विणित बचन गत्न, जो उस में विनिर्दिष्ट प्राधिकारी द्वारा, तम्ध (3) में की उत्स्थानी प्रविष्टियों में विणित जूल्य तक जारी किए गए हैं, उक्त श्रिधिनियम तिन प्रभाव हैं, छूट देती है।

#### सारणी

	41(4)	
सं०	प्राधिकारी द्वारा जारी किए गए वचनपत्र	मूल्य ्र
)	(2)	(3)
1	60% मद्भास स्टेट इनेन्द्रिमिटी बोर्ड लोन 1980	तीन करोड़. दो लाख भीरपवास हजार रुपए ।
2	60% मद्रास स्टेट इनेन्द्रिसटी बोर्ड नोन 1980 (11 पुरोधरण)	चार करोड़ ग्रीर चालीस लाख रुपये ।
3	60% तामिल ताडु इनेन्ट्रिसटी बोर्ड लोन 1981	छ करोड़ घौर साठ लाख रुपये।
4	60% ततिमन ताडु इते हिट्ट सिटी बोर्ड तीत 1982	छ करोड़ प्रौरसाठ लाख रूपये।
Photo and the	[संख्या 5/71-स्टाम	य/फा० रं० 1/44/70-सी० सु० 7]
		के० शंकररामन, ग्रवर सचित्र ।

#### CENTRAL BOARD OF DIRECT TAXES

#### INCOME-TAX

New Delhi, the 21st January 1971

O. 1478.—In partial modification of Notification No. 86, dated 29th May, 1970 in exercise of the powers conferred by sub-section (1) of Section 121 of the me-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby is that there will be two Additional Commissioners of Income-tax (Recovery) ach of the charges of Bombsy and Calcutta and they will be designated astional Commissioner of Income-tax (Recovery I) and Additional Commissioner of Income-tax (Recovery I) will have jurisdiction over the ranges pertaining to Commissioners can of City-I and II and the Additional Commissioner of Income-tax (Recovery II) have jurisdiction over the ranges pertaining to Commissioners charges of III and Central.

INO. 9 (F. No. 187/2/71-IT(AI).]

B. MADHAVAN, Under Secy.

# केन्द्रीय पत्यक्ष कर बोर्ड

#### म्रायकर

# नई दिल्ली, 21 जनवरी, 1971

एस० मो० 1478.— ग्रिधसूचना स० 86 तारीख 25-5-70 को ग्रांशिक रूप से उरित और ग्रायकर ग्रिधिनियम, 1961 (1961 का 43) की ग्रारा 121 की उपधारा द्वारा प्रदत्त शिवतयों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्द्वारा निदेश देता है मुंबई और कलकत्ता के प्रत्येक भारसाधन के लिए दो ग्रपर ग्रायकर ग्रायुक्त (वहांगे ग्रीर ग्रपर ग्रायकर ग्रायुक्त (वसूली II) के में पदाभिहित किए जायेंगे। ग्रपर ग्रायकर ग्रायुक्त (वसूली I) की ग्रिधकारिता ग्रायुक्त भार सिटी—I ग्रीर II से सम्बन्धित रेंजों पर होगी ग्रीर ग्रपर ग्रायकर ग्रायुक्त (वसूली II) ग्रीर ग्रपर ग्रायकर ग्रायुक्त (वसूली II) ग्रीर ग्रीर II से सम्बन्धित रेंजों पर होगी ग्रीर केन्द्रीय से सम्बन्धित रेंजों पर होगी।

[सं० 9(फा० सं० 187/2/71-माई टी (ए० ]]

बी० माधवन, ग्रवर महि

#### INCOME-TAX

#### New Delhi, the 20th March 1971

S.O. 1479.—In exercise of the powers conferred by sub-section (1) of Set 122 of the Income-tax Act, 1961, the Central Board of Direct Taxes hereby m the following amendment in the Schedule appended to its Notification  $N_0$ . (F. No. 261/9/70-ITJ), dated 24th December 1970, namely:

In the said Schedule against Dibrugarh Range II, the following shall be at under column 2:—

5. Central Circle, Dibrugarh.

This notification shall take effect from 8th February, 1971.

Explanatory Note:

The amendment became necessary on account of the creation of a new of known as Central Circle, Dibrugarii.

(The above note does not form part of the notification, but is intended to merely clarificatory).

[No. 25 (F. No. 261/3/71-16]

### श्रायकर

# नई दिल्ली, 20 मार्च, 1971

एस॰ स्रो० 1479.— आयकर घिषितियम 1961 (1961 का 43) की धारा 122 उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रस्थक्ष कर बोर्ड एल्इ प्रपनी अधिसूचना सं० 199(फा॰ सं० 261/9/70-ग्राई० टी॰ सी॰) तारीख 24-12-15 से संलग्न अनूसूची में निम्न संशोधन करता है, प्रर्थात :—

उन्त अनुसूची में डिब्रुगढ़ रेंज II के सामने स्तम्भ 2 में निम्नलिखित औड दिया जावनी 5. केन्द्रीय सर्किल, डिब्रुगढ़ ।

यह अधिसूचना 8 फरवरी, 1971 से प्रभावी होगी।

# त्पट्टीकारक टिप्पण

(\$

यह संशोधन नए सर्किल, जो कि केन्द्रीय सर्किल के नाम से ज्ञात है, के बनाए जाने के कारण आवश्यक हो गया है।

(उपर्यक्त टिप्पण अधिसूर्चना का भाग नहीं है, परन्तू केवल स्पष्टीकरण के लिए आशियत

[सं0 25(फ0 सं0 261/3/71-माई दी जे ]

S.O. 1480.—In exercise of the powers conferred by sub-section (1) of Section 122 of the ncome-tax Act, 1961 (43 of 1961) and all other powers enabling it in that behalf and in supersession f the previous notifications in this regard, the Central Board of Direct Taxes hereby directs nat"the Appellate Assistant Commissioners of Income-tax of the Ranges specified in Col. 1 of he Schedule below shall perform their functions in respect of all persons and income seessed to Income-tax and super-tax in the Income-tax Circles, Wards and Districts specified 1 the "corresponding entry in column 2 thereof:-

#### SCHEDULE Income-tax Circles, Wards and Districts. Ranges (1) I.T.O., A-Ward, Nagpur. I.T.O., B-Ward, Nagpur. I.T.O., C-Ward, Nagpur. I.T.O., D-Ward, Nagpur. I.T.O., E-Ward, Nagpur. I.T.O., F-Ward, Nagpur. I.T.O., G-Ward, Nagpur. I.T.O., H-Ward, Nagpur. Special Survey Circle, Nagpur. City Circle & Refunds, Nagpur. lagpur Range, Nagpur. 11. Refund Circle, Nagpur. 12. City Circle, Nagpur. 13. Spl. E. D. Cum I.T. Circles, Nagpur. 13. Spl. E. D. Cum I. I. Chicles, Ivageau. 14. Salary Circles Nagpur:— (a) 1st I.T.O., Salary Circle, Nagpur. (b) 2nd I.T.O., Salary Circle, Nagpur. (c) 3rd I.T.O., Salary Circle, Nagpur. (d) 2nd I.T.O., Salary Circle & Refunds. Nagpur. I.T.O., Administration, Nagpur. I.T.O., Collection, Nagpur. I, Nagpur. 17. I.T.O., Assessment 18. Do. II, Nagpur. Do. 19. III, Nagpur. IV, Nagpur. Do. 20. Do. 21. , Nagpur. 22. Do. VI, Nagpur. Do. VII, Nagpur. 23. 24. 25. 26. III, Nagpur. Do. Do. IX, Nagpur. Do. X, Nagpur. XI, Nagpur. Do. 27. 28. XII, Nagpur. XIII, Nagpur. Do. Do. 29. XIV, Nagpur. 30. kola Range, Akola. I.T.O., A-Ward, Akola. I.T.O., B-Ward, Akola. I.T.O., C-Ward, Akola. I.T.O., D-Ward, Akola. I.T.O., Central Circle, Akola. I.T.O., Special Inv. Circle, Akola. I.T.O., Yeotmal. I.T.O., A-Ward. Gondie.

LT.O., A-Ward, Gondia.

1

Aurangabad Range.

9. I.T.O., B-Ward, Gondia, 10. I.T.O., A-Ward, Wardha. 11. I.T.O., B-Ward, Wardha. 12. I.T.O., A-Ward, Chandrapur. 13. I.T.O., B-Ward, Chandrapur. 14. I.T.O., Khamgaon. 1. I.T.O., A-Ward, Aurangabad.
2. I.T.O., B-Ward, Do.
3. I.T.O., C-Ward, Do.
4. I.T.O., D-Ward, Do.
5. I.T.O. E-Ward, Do.
6. I.T.O., A-Ward, Nanded.
7. I.T.O., B-Ward, Nanded.
8. I.T.O., C-Ward, Nanded.
9. I.T.O., Latur.
10. I.T.O., A-Ward, Amravati.
11. I.T.O., B-Ward, Amravati.
12. I.T.O., C-Ward, Amravati.
13. I.T.O., D-Ward, Amravati.
14. I.T.O., E-Ward, Amravati.

Where an Income-tax Circle Ward, or District or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of Income-tax, of the Range from whom that income-tax circle, ward or district or part thereof is transferred shall from the date this notification takes effect, be transferred to and dealt with by the Appellate Assistant Commissioner of Income-tax of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from 1-2-1971.

# Explanatory Note

The amendment has become necessary on account of abolution of one Appellate Assistant commissioner's of Income-tax post in the Commissioner charge.

(This note does no form a part of the notification but is intended to be merely clarificatory.)

[No. 43 (F. No. 261/6/70-IT]]

P. K. SHARMA, Under Secy.

एस० म्रो०1480 -- म्राय कर म्रधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस निमित्त उसे समर्थ बनाने वाली ग्रन्य सभी शक्तियों का प्रयोग करते हुए और इस संबंध में सभी पूर्वतन श्रधिसूचनाओं को श्रधिकान्त करते हए, केन्द्रीय प्रत्यक्षकर बोर्ड एतद्द्वारा निदेश देता है कि नीचे की ग्रनमुची के स्तम्भ 1 में विनिदिष्ट रॅंजों के सहायक ग्राय-कर ग्रायुक्त (ग्रपील) उसके स्तम्भ 2 में तत्स्यानी प्रविष्टि में विनिर्दिष्ट **धाय-कर सर्किलों, वार्डों श्रीर जिलों में ग्रायकर या अधिकर से निर्धारित सभी व्यक्तियों** ग्रीर ग्रायों के बारे में ग्रपने कृत्यों का पालन करेंगे :---

रेंज ग्रायकर सर्किल, वार्ड भौर जिले 1

नागपूर रेंब, नागपूर

- 1. भायकर घधिकारी, क—बार्ड, नागपुर ।
- 2. प्रायकर प्रक्रिकारी सन्त्राई जातवर ।

- 3. ग्रायकर ग्रधिकारी, ग-वार्ड, नागपूर ।
- 4. ग्रायकर ग्रधिकारी, घ-वार्ड, नागपुर ।
- 5. ग्रायकर ग्रधिकारी, ड--वार्ड, नागप्र ।
- 6. श्रायकर श्रधिकारी, च--वार्ड, नागपुर ।
- 7. म्रायकर भ्रधिकारी, छ-वार्ड, नागपुर ।
- श्रायकर ग्रिविकारी, ज—वार्ड, नागपुर ।
- 9. विशेष, सर्वेक्षण सर्किल, नागपुर । 10. सिटी सर्किल श्रीर प्रतिदाय, नागपुर ।
- 11. प्रतिदाय सर्किल, नागपूर ।
- 12. सिटी सर्किल, नागपूर ।
- 13. विशेष ई०डी० और ब्राई० टी० सकिल, नागपुर ।
- 14. वेतन सिंकल नागप्र :--
  - (क) प्रथम श्रायकर श्रधिकारी; वेतनं सर्किल, नागपुर ।
  - (ख) द्वितीय ग्रायकर ग्रिधकारी, वेतन सक्तिल, नागपुर।
  - (ग) तृतीय श्रायकर श्रिष्ठकारी, बेतन सर्किल, नागपूर ।
  - (घ) द्वितीय आयकर अधिकारी, वेतन सर्किल और प्रतिदाय, नागपुर।
- 15. ग्रायकर ग्रधिकारी, प्रशासन, नागपूर ।
- 16. ग्रायकर ग्रधिकारी, संग्रहण, नागपुर ।
- 17. भायकर मधिकारी, निर्वारण —], नागपुर 🛭
- 18. यथोक्त II, नागपुर ।
- 19. यथोवत III, नागपुर ।
- 20. यथोक्त IV, नागपुर ।
- 21. यथोक्त V, नागपुर ।
- 22. यथोक्त VI, नागपुर ।
- 23 यथोक्त VII, नागपुर ।
- 24 यथोक्त VIII, नागपुर ।
- 25. यथोक्त IX, नागपुर । 🗼
- 26. यथोक्त X, नागपुर ।
- 27. यथोक्त XI, नागपुर ।
- 28. यथोक्त XII, नागपुर ।
- 29. यथोक्त XIII, नागपुर ।
- 30. यथोषत XIV, नागपुर ।

1.70

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# ग्रकोला रेंज, ग्रकोला।

मोरंगाबाद रेंज ।

1

- 1. ग्रायकर ग्रधिकारी, क--वार्ड, ग्रकोला ।
- 2. ग्रायकर ग्रधिकारी, ख-वार्ड, प्रकोला ।
- 3. ग्रायकर ग्रधिकारी, ग-वार्ड, ग्रकीला ।
- 4. ग्रायकर ग्रधिकारी, घ-वार्ड, ग्रकोला ।
- 5. ग्रायकर ग्रधिकारी, केन्द्रीय सर्किल, ग्रकोला ।
- म्रायकर म्रधिकारी, विशेष मन्य सर्किल, मकोला ।
- ा. श्रायकर ग्रिधकारी, योतमाल ।
- श्रायकर ग्रिक्षकारी, क—वार्ड, गोंडिया ।
- 9. ग्रायकर ग्रधिकारी, ख-वार्ड, गोंडिया ।
- 10. ग्रायकर ग्रधिकारी, क-वार्ड, वर्धा।
- 11. ग्रायकर ग्रधिकारी, ख--वार्ड, वर्धा।
- 12. श्रायकर श्रधिकारी, घ-वार्ड, चन्दरपुर ।
- 13. ग्रायकर ग्रधिकारी, ख--वार्ड, चन्दरपुर ।
- 14. स्रायकर स्रधिकारी, खामगांव।
- 1. ब्रायकर ब्रधिकारी, क--वार्ड, भीरगाबाद।
- 2. ग्रायकर ग्रधिकारी, ख-वार्ड, यथोक्त ।
- 3. ग्रायकर ग्रधिकारी, ग--नार्ड, यथोक्त ।
- ग्रायकर ग्रंधिकारी, घ—वार्ड, यथोक्त ।
- 5. ग्रायकर ग्रधिकारी, इ--वार्ड, यथोक्त।
- 6. ग्रायकर ग्रधिकारी, च--वार्ड, ननदेड़ ।
- ग्रायकर ग्राधकारी, छ—वार्ड, ननदेड ।
- 8. ग्रायकर ग्रधिकारी, ज-वार्ड, ननदेइ ।
- 9. ग्रायकर ग्रधिकारी, लद्दर ।
- 10. ग्रायकर ग्रधिकारी, क--वार्ड, ग्रमरावती।
- 11. ग्रायकर ग्रधिकारी, ख--वार्ड, यथोक्त ।
- 12. ग्रायकर ग्रधिकारी, ग-वार्ड, यथोक्त ।
- 13. ग्रायकर अधिकारी, घ--वार्ड, यथोक्त ।
- 14. ग्रायकर ग्रधिकारी, इ--वार्ड, ग्रमरावती ।

जहां इस अधिसूचना द्वारा कोई आय—कर सिंकल, वार्ड या जिला या उसका कोई भाग एक रेंज से दूसरी रेंज को आंतरिक हो गया हो वहां उस आधकर सिंकल वार्ड या जिले या उसके किसी भाग में किए गए निर्धारणों के परिणामस्वरूप की गई अपीलें जो इस अधिसूचना की तारीख से ठीक पहले उसे रेंज के, जिससे वह आयकर सिंकल, वार्ड या जिला या उसका कोई भाग अन्तरित कर दिया गया है, सहायक आयुक्त (अपील) के समक्ष लिखत थी, इस अधिसूचना के अभावी होने की तारीख से उस रेंज के जिसको उक्त सिंकल, वार्ड या जिला या उसका कोई भाग अन्तरित कर दिया गया है, सहायक आयुक्त (अपील) को अन्तरित कर दी आयेंगी थी उनके संबंध में कार्यवाही करेगा।

यह अधिसूचना 1 फरवरी, 1971 से प्रभावी होगी ।

# करणे दिव्पण

ग्रायक्त के चार्ज में एक सहायक अपोली ग्रायकर ग्रायक्त के पद के उत्पादन के कारण पंणोधन आवश्यक हो गया है।

(यह टिप्पण प्रधिसूचना का भाग नहीं है किन्तू केवल स्पष्टोकरण के लिए श्रामित है ।)

[सं० 43(फा॰सं॰ 261/६/70-ग्राई॰ टी॰ जे॰)]

(पी० के० शरण ग्रवर सचिव।

# MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

#### (Department of Labour and Employment)

New Delhi, the 22nd March 1971

.0. 1481.—Whereas an industrial dispute exists between the management of pur Colliery of Messrs. Equitable Coal Company Limited, Post Office Saltore, ict Purulia and their Workmen represented by Colliery Mazdoor Congress ependent), Asansol;

Ind whereas the said employers and workmen have by a written agreement ursuance of the provisions of sub-section (1) of section 10A of the Industrial utes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration to person specified therein, and a copy of the said agreement has been for-led to the Central Government:

Icw, therefore, in pursuance of the provisions of sub-section (3) of section of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government by publishes the said arbitration agreement.

#### AGREEMENT

(UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT. 1947)

#### BETWEEN

### NAME OF THE PARTIES:

re: miting the employers:

Representing the workmen:

i R. K. Sinha Roy, our Officer, . Equitable Coal Co. Ltd., Dishergarh, Dist. Burdwan.

Shri Jagdish Pandey, General Secretary, Colliery Mazdoor

Congress (IND),

Gorai Mansion, G.T. Road, Asansol.

t is hereby agreed between the parties to refer the following industrial disto the arbitration of Shri A. K. Mitra, Asstt. Labour Commissioner (Central), nbad.

i) Specific matters in dispute.

"Keeping in view the duties performed by the following workmen, whether the pay fixation of these workmen as made by the management of Ranipur Colliery of M/s. Equitable Coal Co. Ltd., P.O. Saltore, Dist. Purulia in terms of the recommendations of the Central Wage Board for the Coal Mining Industry as accepted by the Govt. of India, in their Resolution No. WB.61(5)/66 dated 21st July, 1967 is in order? If not, to what relief are these workmen entitled and from what date?"

SI. No.	Name					Designation
ī.	Shri Lakhiram Bouri					Machine Mazdoor-cum-Driller
2.	Shri Baldeb Mondal	•	•	-		<b>D</b> 0.
3.	Shri Jitoo Turi	•	•	•		Do.
4.	Shri Chuli Harijan .	•	•	•	-	Do.
5.	Shri Dohari Robidas,	•	•	•	·	Do.
6.	Shri Deokishan	•	•	•	•	Do.
7.	Shri Ramanuj	•	· •	•	-	Do.
8.	Shri Kali Bouri	•	•	•	•	Pump Khalasi.
9.	Shri Abhoy Pada Roy	•	•	•	•	Do.
10.	Shri Naran Pal	•	•	•	•	Do.
II.	Shri Navak	•	•	•		S. P. Mazdoor-cum-Chowkidar.
12.	Shri Jadu Ram	•	•	•	•	On setter.

(ii) Details of the partise to dispute including the name & address of the establishment or undertaking involved. Employers in relation to Ranipur Collie M/s. Equitable Coal Co. Ltd., P.O. tore, Dist. Purulia.

(iii) Name of the union, if any, representing the workmen in question.

Colliery Mazdeer Cengress (Ind.), Gen Mansion, G. T. Road, Asansol.

- (iv) Total No. of workmen employed in the under Approx. 1800. taking affected.
  - (v) Estimated No. of workmen affected or likely to be affected by the dispute.

12 (Twelve).

We further agree that the majority decisions of the Arbitrator shall be bin on us.

The arbitrator shall make his award within a period of six months or wi such further time as is extended by mutual agreement between us in writin case the award is not made within the period aforementioned the reference arbitration shall stand automatically cancelled and we shall be free to negot for fresh arbitration.

Signature of the parties.

(Sd.) R. K. SINHA RO Representing the employ (Sd.) Jagdish Panni Representing the works

# Witnesses:

1. (Sd.) Illegible.

2. (Sd.) Illegible.

Dated, Asansoi, the 26th February, 1971.

[No. L/1913/4/71-LRII KARNAIL SINGH, Under S

श्रम रोजगार और पुनर्वास मंत्रालय

(अत भौर रोजगार मंत्रालय)

नई दिल्ली, 22 मार्च, 1971

का॰ आ॰ 1481.-यत: मैंससं ईनवीटेबल कोल कम्पनी लिमिटेड, डाकचर सारटोर्ड पुरुलिया की रानीपुर कोलियरी के प्रबन्धतन्त्र और उनके कर्मकारों के डीच, जिनका पितिनी कोन्नियरी मजदूर कांग्रस (भाई० एन० डी०), श्रासनसोल करती है, एक श्रोबोधिक विवाद विद्यान

भौर यतः उनत नियोजनों और कर्मकारों ने बीचोगिक विवाद ब्रिशियम, 1947 (1 का 14) की खारा 10-क की उपधारा (1) के उपबन्धों के बनुसरण में एक जिल्ला करार कत विवाद को उसमें वर्णित व्यक्ति के माध्यस्थ्म के लिए निर्देशित करने का करार कर लिया है और कत माध्यस्थ्म करार की एक प्रति केन्द्रीय सरकार को भेजी गई है ;

श्रतः, भन, भौधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की उप-तरा (3) के उपबन्धों के अनुसरण में केन्द्रीय सरकार उक्त माध्यस्थम् करार को एतद्द्वारा प्रकाशित रती है।

#### करार

(ग्रीद्योगिक विवाद ग्रिधिनियम, 1947 की धारा 10-क के ग्रधीन)

अकारों के नाम :

नेवीत हों का प्रतिनिधित्व करन वाले :

श्री भार॰ के॰ सिन्हा राय, श्रम ग्रधिकारी, मैससं ईक्वीटेबल कोल कम्पनी, लि॰ डाकघर दिशे रगढ,

जिला वर्दवान ।

हर्मकारों का प्रतिनिधित्व करने वाले :

श्री जगदीश पांडे, महा सचिव, कोलियरी मजदूर कांग्रेस (श्राई० एन० डी०),गोराय मेंशन, जी० टी० रोड,

ग्रासनसोल ।

पक्षकारों के बीच निम्नलिखित श्रीद्योगिक विवाद को एतदद्वारा श्री ए० के० मित्रा, सहायक श्रमायुक्त (केन्द्रीय), धनबाद के माध्यस्थ्म के लिए निर्देशित करने का कयार किया गया है।

(1) विनिर्दिष्ट विवाद ग्रस्त विषय:

"क्या निम्नलिखित कर्मकारों द्वारा किए जाने वाले कार्यों को ध्यान में रखते हुए, मेंसर्स ईक्वीटेंबल कोल कम्पनी लिमिटेंड, डाकघर साल्टोर, जिला पुरुलिया की रानीपुर कोियरी के प्रबन्ध तन्त्र द्वारा कोयला खनन उद्योग सम्बन्धी केन्द्रीय मजदूरी बोर्ड की सिफारिकों के प्रनुसार, जो भारत सरकार द्वारा संकल्प संख्या डब् यु० बी० 16(5)/66, तारीख 21-7-1967 में स्वीकार की गई है, इन कर्मकारों का बेतन निर्धारण सही है। यदि नहीं, तो ये कर्मकार किस धनुतीय के धौर किस तारीख से हकदार हैं?"

भांक	नाम	पदनाम
1	श्री लखीराम बोरी	मझीन मजदूर एवं ड्रिलर
2	श्री बलदेव मंडल	-प्रभोपरि-
3	श्री जीतो तुरी	म <del>णोपरि</del>
4	श्री चूली हरिजन	म्बोपरि
5	श्री डोहारी रोिदास	–यथोपरि-
6	श्री देवकिशन	<b>–यशो</b> परि–
7	श्री रामानज	_awluft_

ऋसांक नाम पदनाम

पम्प खलासी

श्री काली बोरी

्श्री मभोय पाडा राय

10 श्री नारन पाल

-यथोपरि--यथोपरि-

श्री नायक 11

एस० पी० मजदूर एवं चौकीदार

श्री जादु राम 12

ग्रानसैटर

(2) विवाद के पक्षकारों का विवरण, जिसमें श्रंतविलित स्थापना या उपक्रम का नाम श्रौर पता भी सम्मिलित है।

मैसर्स ईक्वीटेबल कोल कम्पनी लिमिटेड, डाकचर साल्टोर, जिला पुरुलिया की रानीपुर कोलियरी से सम्बद्ध नियोजक।

(3) यदि कोई संघ प्रश्नगत कर्मकारों का प्रति-निधित्व करता हो तो उसका नाम।

कोलियरी मजदूर कांग्रेस (ग्राई० एन० डी०), गोराय मेंशन, जी० टी० रोड, ग्रासनसोल ।

(4) प्रभावित उपक्रम में नियोजित कर्मकारों की कुल संख्या

लगभग 1800

(5) विवाद द्वारा प्रभावित या सम्भाव्यतः प्रभावित होने वाले कर्मकारों की प्राक्कलित

12 (बारह)

हम यह करार भी करते हैं कि मध्यस्य के बहुमत विनिश्चय हम पर भाबद्ध कर होंगे।

मध्यस्य अपना पंचाट छः मास की कालाविध या इतने और समय के भीतर जो हमारे बीच पारस्परिक लिखित करार द्वारा बढ़ाबा जाय, देगा । यदि पूर्व वर्णित कालावधि के भीतर पंचाट नहीं दिया जाता तो माध्यस्यम के लिए निदेश स्वतः रद्द हो जायेगा श्रीर हम नए माध्यस्यम के लिए बातचीत करने को स्वतन्त्र होंगे।

# पक्षकारों के हस्ताक्षर

ह०/- ग्रार० के० सिन्हा राय

26 - 2 - 71

संख्या ।

नियोजका का प्रतिनिधित्व करने वाले।

ह०/- जगदीश पांडे,

26 - 2 - 71

कर्मकारों का प्रतिनिधित्व करने वाले माभी

1. 長0/-

2. 青0/-

तारीख ग्रासनसोल, 26 फरवरी, 1971

संख्या एल० 913(4)/71-एस० भार० 2] करनैल सिंह, अवर सविष



## प्राधिकार से प्रकाशित

# PUBLISHED BY AUTHORITY

नं 15] नई दिल्ली, ज्ञनिवार, अप्रैल 10, 1971/चैत्र 20, 1893 No. 15] NEW DELHI, SATURDAY, APRIL 10, 1971/CHAITRA 20, 1893

इस भाग में भित्र पृष्ठ संख्या दी जाती है जिससे कि यह श्राप्तग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

# भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्राजरों स्त्रीर (संब क्षेत्र प्रशासत को छोड़कर) केन्द्रीय ब्राधिकरणों द्वारा आरी किबे गर्वे जिथिक स्नादेश स्त्रीर स्रथिस उनाएं

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

# MINISTRY OF HEALTH, FAMILY PLANNING, WORKS, HOUSING AND URBAN DEVELOPMENT

(Department of Health)

New Delhi, the 25th March 1971

S.O. 1492.—In the matter of Charitable Endowment Act 1890 and in the matter of "The Lady Hardinge Hospital for Women and Children, Delhi, Fund".

On the application of, and with the concurrence of the Board of Administration for the Lady Hardinge Hospital \* r Women and Children, Delhi, Fund and in exercise of the powers conferred on \* by section 4 of the Cuaritable Endowments Act, 1890 (6 of 1890) the Central Government both hereby order that the sum of Rs. 88.100 invested in securities of 4½ per cent Loan 1973 on behalf of the golden Jubilee fund in the form of Stock Certificate No. DH 51, shall vest in the Treasurer of Charitable Endowments for India.

[No. 4-7/70 ME(UG).]

P. MUKHOPADHYAY, Under Secy.

(1795)

# स्वास्त्य, परिवार नियोशन, निर्माण, प्रत्यास ए व नगर विकास संपालय (स्वास्थ्य विभाग)

नई दिल्ली, 25 मार्च, 1971

एस० चौ० 1492.—धर्मार्थ शक्षम निधि ग्रधिनियम, 1890 गौर महिलाशों और शिशुशों के लेडी हार्डिंग अस्पताल, दिल्ली निधि के सम्बन्ध में।

"लेडी हार्डिंग महिला एवं बाल ग्रस्पताल दिल्ली निधि" के ग्रावेदन पर तथा उसके प्रशासन मण्डल की सहमति से भौर धर्मार्थ ग्रक्षयनिधि ग्रिधिनियम 1890 (1890 का 6) की धारा 4 द्वारा उसे प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतदद्वारा आदेश देती है कि स्टाक सर्टिफिकेट संख्या डी० एच० 51 के रूप में गोल्डन जुबली निधि की भोर से 4 प्रतिशत ऋण 1973 की गितभूतियों में जो 88,100 रू० का धन भारत के धर्मार्थ ग्रक्षयनिधि में लगा हुआ है उसके अधिकार कीषाध्यक्ष में निहित होंगे।

[ संख्या 4-7/70 एम० ई० (यू० जी०)] प्रताप मुखोपाध्याय, धार सचित्र।

#### MINISTRY OF INFORMATION AND BROADCASTING

#### CORRIGENDUM

New Delhi, the 23rd March 1971

8.0. 1493.—In the Notification of the Government of India, Ministry of Information and Broadcasting No. S.O. 701, dated 8th January, 1971, published at pag 769 of the Gazette of India, Part II. Section 3, Sub-section (ii), dated the 13th February, 1971, in line 4 from bottom for "Smt. Surjit K. Chakradbarti" read Prof. Sujit K. Chakradbarti.

[No. F. 11/4/71-F(C).]

VIRENDRA D. VYAS, Director.

### स्बना धीर प्रसारण मंत्रासय

# গুৱি বঙ্গ

नई दिल्ली, 23 मार्च, 1971

एस॰ भी॰ 1493.—भारत सरकार के सूचना और प्रसारण मंत्रालय की अधिसूचना सख्य एस॰ भी॰ 701 तारीख 8 जनवरी, 1971 में, जो भारत के राजगत्र के भाग 2, खग्ड 3 के उगखग्ड 2, शरीख 13 फरवरी, 1971 के पृष्ठ 769 पर प्रकाशित हुई है, नीचे से चौथी पंक्ति में 'श्रीमती सुरजीत है। चक्कवर्ती' के स्थान पर 'भी॰ सुजीत के॰ चक्कवर्ती' पढ़ा जाए।

[संक्या 11/4-71-एफ(सी)]

बीरेन्द्र देव व्यास / निदेशकः।

# MINISTRY OF INDUSTRIAL DEVELOPMENT & INTERNAL TRADE (Department of Industrial Development)

# (Indian Standards Institution)

New Delhi, the 24th March 1971

O. 1494.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution ertification Marks) Regulations 1955, as amended from time to time, the Indian Standards Institution hereby notifies that the licence No. CM/L-1953, particulars of which are given below, has an cancelled with effect from 16-3-1971 as the party has stopped manufacture of the product.

and Date

Name and alliess of the licenses

Article/Process covered Relevant Indian | by the licence cancelled Standard

M-L-1953

Excel Industries Limited, Excel Gamma BHC Lindane Estate', S.V. Road, Goregaon Smoke Generators Bombay-62 having their office at 184-87 S. V. Road, Jogeshwari, Bombay-60 N.B. IS:1505-1968

[No. CMD/55: 1953]

# भ्रोबोलिक विकास भार मांतरिक व्यापार संभालय

(बोबो ा ह विकस विभाग)

(भारतीय मानक संस्था)

नई दिल्ली, 24 मार्च, 1971

एस ब्रोब 1494.—समय समय पर संगोधित भारतीय मानक संस्था (प्रमाणन चिढ्न) विनियम 1955. के विनियम 14 उपविनियम (4) के भनुभार भारतीय मानक संस्था द्वारा भिध सूचित किया जाता है कि लाइनेंस संब सो एन/एन—1953 जिसका ब्यौरा नोचे दिया गया है, 16—3—1971 से रह कर दिया गया है न्योंकि लाइनेंसबारों ने उस वस्तुका उत्सदन बंद कर दिया है।

लाइसेंस संख्या ग्रीर लाइसेंस धारी का नाम ग्रीर पता रद्द किए गए लाइसेंस तत्सम्बन्धी दिनांक के म्रजीनवस्तु/प्रकिया भारतीय मानक}

सी एम एत 1953 ए स्मेल इंडस्ट्रोज लि॰ एक्सेल गामा वो एव सी लिडेन IS: 1505-1968
एस्टेट, एस वो रोड, गोरेगांव, धूमकारक
बम्बई-62 इनका कार्यालय
184-87 एस वो रोड, जोगेश्वरी
बम्बई-6) में है।

[संख्या सी॰एम॰डी॰/55:1953]

8.0. 14)5—In parsuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution Certification Marks) Regulations 1955, as amended from time to time, the Indian Standard institution hereby notifies that the licence No. CM/L-2021 particulars of which are given below

has been cancelled with effect from 15-2-1971, as the party was not able to maintain the c1 as per Indian Standard Specificaton.

Licence No. and Date

Name & Address of the Article/Process covered Relevant Indi-licensee by the licence cancelled Standard i. .

CM/L-2011 8-7-1969

M/s. Neyveli Lignite Corpora-tion<sup>1</sup>Ltd., Neyveli-1 (South Arcot District)

Processed solid smckeless IS:4286-1967 demestic fuel

[No. CMD/55:201:

एस० ग्री० 1495 -- समय समय पर संशोधित भारतीय मानक संरथा (प्रमाणन चिह्न विनियम 1955 के विनियम 14 के उपविनियम (4) के अनुसार भारतीय भानक संग्या द्वारा अह सुचित किया जाता है कि लाइसेंस सं० सी एम/एल 2011 जिसके त्योरे नीचे दिए जा रहे हैं 15-2-7 से रद्द कर दिया गया है क्योंकि लाइसेंसघारी भारतीय मानक दिशिष्टि में निर्धारित किस्म (स्वालिटी का माल तैयार करते रहने में असमर्थ था।

लाइसेंस सं० और लाइसेंसधारी का नाम भीर पता दिनांक

पह किए गए लाइमेंस के ब्रधीन वस्त्/प्रक्रिया

तरसम्बन्धी मारतीय मान्य

सी एम/एल 2011 मेसर्म नेवली लियनाइट बारपेरियन होस उपचर्शन्त धर्माई न $\left[\mathbf{IS}\right]_{3.286-199}$ 8-7-1969 लि॰ नेवली-1 (दक्षिण आकट घरेल ईधन जिला)

मिस्या सी० एम० डी०/55:2011

#### New Delhi, the 25th March 1971

S.O. 1486.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Instation (Certification Marks) Regulation 1955, as amended from time to time, the Indian Standards Instation hereby notifies that licence No. CM L-2310, particulars of which are given below, has be cancelled with effect from Sixteenth March, Nincteen Hundred Seventyone since the firm is longer interested in operating this licence.

Sl. Licen No. No. and Date

Nime erd Accieis et ite licerece

Arricle Licens reveiled. Relevire Iron by the licence

Sterderd

CM/L-2303 1-4-1970 M.s. Fort Glester Industries Ltd., (New Mill), P.O. Fort Gloster, Ply Stn., Baruia, Distt. Hewrah. New Jule Weel Feek

18 28 26-1916 Specification for New Jule Wool Prek

[No. CMD/55 2303] A. K. GUPTA Dy, Director Geral

# नई दिल्ली, 25 मार्च, 1971

एसः शो 1496 -- समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिह्न न) ानियम 1955, के विनियम 14 के उपविनियम (4) के प्रनुसार भारतीय मानक संस्था द्वारा अधि-चित किया जाता है कि लाइसेंस सं० सी एम/एल-2303 जिसके व्योरे नीचे दिए हैं 16 मार्च, 1971 रह हो गया है क्योंकि फर्म ग्रब यह लाइसेंस चलाना नहीं चाहती है।

म लाइसस स <b>ण्या</b> ह्या दिनांक	८ पाइतप्रवासमा गाम आरप	ता रहाकल पल लाइसस के ग्रधीन वस्तु/प्रकिया	भारतीय मानक
1-4-1970	सर्स फोर्ट ग्लोस्टर इंडस्ट्रीज लि० (नई मिल) पो॰ ग्रा० फोर्ट ग्लोस्टर, रेलवे स्टेशन बोरिया, जिला हावड़ा ।		5: 4856-1968 ऊन भरने की पटसन की नई बोरियों की विशिष्टि।

[संख्या सी० एम० डी०/55:2303]

ए० के० गुप्ता, उपमहानिदेशक ।

# CENTRAL BOARD OF DIRECT TAXES

### INCOME-TAX

# New Delhi, the 17th August, 1970

S. O. 1497.—In exercise of the powers conferred by sub-section (1) of section 121 of the Ine-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following adment to the Schedule appended to its notification No. 20 (F.No. 55/1/62-IT), dated the 30th il, 1963 published as S. O. 1293, on pages 1454-1457 of the Gazette of India, Part II, Section ub-section (ii), dated the 11th May, 1963 as amended from time to time.

Existing entries under columns (1), (2) and (3) against S. No. 15A shall be substituted by the

come-tax mmissioner	Headquarters	Jurisdiction
I	3	3
Kanpur	Kanpur	1. Circle—I, Kanpur 2. Circle —II, Kanpur 3. Salary Circle, Kanpur 4. Companies Circle, Kanpur 5. Special Circle, Kanpur 6. Estate Duty-cam-Income-tax Circle, Kanpur 7. Banda 8. Unnao 9. Orai 10. Jhansi 11. Fatelgarh 12. Brawah 13. Mainpuri

I

2

3

- 15. 16. 17. 18. Circle—I, Agra Circle—II, Agra
- Etah Mathura Aligarh Hathras
- 19.

- Meerut
  Hapur at Meerut
  Salary Circle, Meerut
  Ghaziabad
  Muzaffarnagar 22.
- 23.

- Roorkee
- Sabaranpur Dehradun Estate Duty-cum-I.T. Circle,
- Dehradun Special Ward, Agra

This notification shall come into force with immediate effect,

[No. 135-(F. No. 187/14/70-IT(AI).]

S. N. SHENDE, Under Secy

## केन्द्रीय प्रत्यक्ष कर बोर्ड

## (म्रायकर)

# नई दिल्ली, 17 भगस्त, 1970

एस० भी० 1497 --- भायकर भधिनियम, 1961 (1961 का 43) की घारा 121 की उप बारा (1) द्वारा प्रदत्त शनितयों का प्रयोग करते हुए केन्द्रीय प्रत्यक्ष कर बोर्ड समय समय पर यथ संशोधित अपनी अधिसूचना सं० 20 (एफ० सं० 55/1/62-आई० टी०) तारीख 30 अप्रैस, 196 से संलग्न अनुसूची में, जो भारत के राजपत्र भाग 2, खण्ड 3, उपखण्ड, (11) तारीख 11 मई, 196: केपाट 1454-1457 पर का० आ० 1293 के रूप में प्रकाशित हुई थी. निम्नलिखित संशोधन करत € €

कम स॰ 15क के सामने स्तम्भ (1), (2) भीर (3) के भ्रन्तर्गत विद्यमान प्रविष्टियां निम्न लिखित प्रविध्यिों द्वारा प्रतिस्थापित की जाएंगी :---

श्रावकर श्रायुक्त}	मुख्यालय	त्रधिकारिता
1	2	3
1 इक कानपुर	कानपुर	<ol> <li>सिंकल-।, कानपुर</li> <li>सिंकल-।।, कानपुर</li> <li>वैतन सिंकल, कानपुर</li> <li>कम्पनी सिंकल, कानपुर</li> <li>विश्वेष सिंकल, कानपुर</li> </ol>

1

2

6. सम्पदा शुल्क-एवं-ग्रायकर कार्यालय,

3

- कानपुर
- 7. बांदा
- 8. उन्नाव
- 9. घोराई
- 10. झांसी
- 11. फतेहगढ़
- 12. इटावा
- 13. मैनपूरी
- 14. फिरोजाबाद
- 15. सकिल-[ म्रागरा ]
- 16. सिंकल- प्रागरा
- 17. एटा
- 18. मथ्रा
- 19. ग्रलीगढ़
- 20. हायरस
- 21. मेरठ
- 22. हापूड़ मेरठ में
- 23. वेतन सर्किल, मेरठ
- 24. गाजियाबाद
- 25. मुजफ्फरन**गर**
- 26. रड़की
- 27. सहारनपुर
- 28. देहरादून
- 29. सम्पदा-शुल्क-एवं-मायकर सक्तिल्र देहरादून
- 30. विशेष वार्ड, धागरा

यह प्रधिसूचना तुरन्त प्रवंस होगी।

[संख्या 135 एफ सं० 187/14/70-बाई० टी॰ (ए-1)]

एस० एन० बाह्य

धवर सचिव ।

#### INCOME TAX

# New Delhi, the 11th January 1971

i.O. 1498.—In exercise of the powers conferred by section 126 of the Income-tax Act, 1961 (43), of the Central Boundlef Direct Taxos hereby makes the following amendment to the Schedule and to its Notification No. 1 (F. No. 55/233/63-II) deted the 18th May 1964, as amended into time.

For the	existing entries a	ppearing against	Serial No.	30 in	the said	Schedule, t	he followin
ah	all be substituted.						

1	2	3	4	5	6
30	Employees of the A Mission of the Rei med Church in An ca, Vellore Nor Arcot District st tioned any where the taxable territori	for- Salaries meri- Circle II, th Madras. a- in	Inspecting Asstt. Commissioner of Income-tax who has been appointed to perform the functions of Inspecting Asstt. Commissioner of Income-tax in respect of Income-tax of Income-tax Officer referred to in Column 3.	tant Commission Andrew of Incometax who has been invested with powers to hear appeals against the decisions of the Incometax Officer referred	C.I.T.

[No. 1-F No. 187/1/71-IT (AI)].

# (भ्रायकर)

# नई दिल्ली, 11 जनवरी, 1971

एस॰ भो॰ 1498.-- ग्रायकर अधिनयम, 1961 (1961 का 43) की घारा 126 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय प्रत्यक्ष कर बोर्ड एतदद्वारा इसकी समय समय पर यया-संशोधित ग्रधिसूचना सं० 1 (फा॰ सं॰ 55/233/63-ग्राई॰ टी॰) तारीख 18 मई, 1964 से उपाबद अनुमुची में निम्नलिखित संशोधन करता है।

उक्त प्रनुसूची में कम सं० 30 के सामने वाली विद्यमान प्रविष्टियों के स्थान पर, निम्नलिखित प्रतिस्थापित किया जाएगा ।

1	2	3	4	5	6
30	अर्काट मिशन ग्राफ दि रिफार्मंड चर्च इन अमेरिका वैलोर, उत्तर ग्रकीट जिला, के कर्मचारी जो कराधेय राज्यक्षेत्रों में कहीं भी तनात हों।	प्रथम श्रायकर श्रधि- कारी, वेतन सर्किल ।।, मद्रास ।	सहायक श्रायकर श्रायुक्त (निरीक्षण) जिस स्तम्भ 3 में निर्दिष्ट श्रायकर श्रिष्ठकारी की बाबत सहायक श्रायकर श्रायुक्त (निरीक्षण) के कृत्यों का पालन करने के लिए नियुक्त किया गया है।	सहायक श्रायकर श्रायुक्त (श्रपीली) जिसे स्तम्भ 3 में निदिष्ट श्रायकर श्रियकारी के विनिक्क के विरुद्ध श्रपील, मुनने की शक्तियां विनिहित की गई हैं।	

S.O. 1499.—In partial modification of Notification No. 87 dated 29th May, 170 and in exercise of the powers conferred by sub-section (1) of Section 121 if the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby irects that the Additional Commissioner of Income-tax, Lucknow and the Additional Commissioner of Income-tax, Kanpur, shall also perform all the functions if the Commissioner of Income-tax, Lucknow and the Commissioner of Income-tax, Kanpur, respectively, under the Income-tax Act, 1961 in connection with the acovery of taxes including stay of demands and withholding of refunds under ection 241 of the said Act.

[No. 4(F. No. 187/13/70-IT(AI),]

B. MADHAVAN, Under Secy.

एस० औ० 1499.—अधिमूचना सं० 87 तारीख 29—5—70 के आंशिक उपांतरण में और आंयकर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शिक्तवों वा प्रयोग करते हुए केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्द्वारा निदेश देता है कि अपर आयकर आयुक्त, लखनऊ, और अपर आयकर आयुक्त, कानपुर, आयकर अधिनियम, 1961 के अधीन करों की वसूली के सम्बन्ध में, जिसमें उक्त अधिनियम की धारा 241 के अधीन मांगों की रोक और प्रतिदाय का विधारण सिम्मिलत है, कमशः आयकर आयुक्त, लखनऊ भीर आयकर आयुक्त कानपुर के इत्यों का भी पालन करेंगे।

[सं० 4-फा॰ सं० 187/13/70-ग्राई टी (ए 1)]

बी॰ माधवन,

धवर सचिव।

#### MINISTRY OF FOREIGN TRADE

New Delhi, the 27th March 1971

S.O. 1500.—Whereas the Textiles Committee has established standard specifiations for the material as defined in clause (d) of regulation 2 of the Mill-made lotton Made-up Articles (Towels), Inspection Regulations, 1969 for the purposes 4 export;

And whereas on the recommendation made to it in this behalf by the Textiles committee, the Central Government is of opinion that the material which does not conform to the standards established by the said Committee should not be exported:

Now, therefore, in exercise of the powers conferred by sub-section (1) of ection 17 of the Textiles Committee Act, 1963 (41 of 1963), the Central Government hereby prohibits the export from India to any foreign country of the material defined in clause (d) of regulation 2 of the Mill-made Cotton Made-up Artiles (Towels) Inspection Regulation, 1969, unless such material is covered by a erificate issued in this behalf under regulation 11 of the said regulations:

Provided that the above prohibition shall not apply to the export of low andard material which does not conform to the minimum standard required or the issue of a certificate under regulation 11 of the said regulations, if an ider is received from abroad for the supply of such low standard material and the officer authorised by the Textiles Committee in this behalf is satisfied bout the bonafides of such order and the export of such material is authorised by him.

2. This notification shall come into force on the 1st April, 1971.

[No. F. 8/18/70/Tox-A.] H. K. BANSAL, Dy. Secy.

#### विदेश व्यापार मंत्रासय

# नई दिल्ली, 27 मार्च 1971

का॰ आ॰ 1500--यतः वस्त्र समिति के निर्यात के प्रयोजनों के लिए मिल-निर्मित सूती तैयार कपड़ें (तौलिये) निरीक्षण विनियम, 1969 के विनियम 2 के खंड (घ) में यथा परि-भाषित सामग्री के लिए मानक विनिर्देश स्थापित किए हैं ;

भीर थतः वस्त्र समिति द्वारा इस निमित्त उसे की गई सिफारिश पर केन्द्रीय सरकार की राय है कि एसी सामग्री का निर्यात नहीं किया जाना चाहिए जो उक्त समिति द्वारा स्थापित मानकों के मनुरूप नहीं है;

श्रतः श्रव, वस्त्र समिति श्रिधिनियम, 1963 (1963 का 41) की धारा 17 की उपधारक (1) द्वारा प्रदत्त शिवतयों का प्रयोग करते हुए केन्द्रीय सरकार मिल-निर्मित सूती तैयार कपड़ें (तौलिये) निरीक्षण विनियम, 1969 के विनियम 2 के खण्ड (घ) में परिभाषित सामग्री का भारत से किसी विदेश के लिए निर्यात प्रतिषद्ध करती है जब तक कि एसी सामग्री पर उक्क विनियम 11 के श्रिधीन इस निमित्त जारी किया गया प्रमाण पत्न न लगा हो:

परन्तुं उप वत प्रतिषध उस निम्न मानक की सामग्री के निर्यात पर लागू नहीं होगा जो उक्त विनियमों के विनियम 11 के अधीन कोई प्रमाणपत्न जारी करने के लिए अपेक्षित न्यूनतम मानक के अनुरूप नहीं है, यदि एसे निम्न मानक की सामग्री की प्रदाय के लिए विदेश से कोई आर्डर प्राप्त होता है और यदि एसे आर्डर के सद्भाव के बारे में वस्त समिति द्वारा इस निमित्त प्राधिकृत अधिकारी का समाधान हो गया है और उसने एसी सामग्री का निर्यात प्राधिकृत कर दिया है।

2. यह अधिसूचना 1 अप्रैल, 1971 को प्रवृत्त होगी।

[सं० एफ 5/18/70/वस्त्र-ए] एच० के० बंसल, उपसनिवा

# New Delhi, the 29th March 1971

8.0. 1591.—In continuation of this Ministry's Notification of even number. dated 5th August, 1970 and in exercise of the Powers conferred by Clause (a) of Sub-Section (1) of Section 9 of the Tea Act, 1953 (29 of 1953), the Central Government hereby extends the period of officiating appointment of Shri I. B. Ghosh as Secretary, Tea Board upto the 31st March, 1971.

[No. 1(9)-Plant(A)/70.]

A. K. MISRA, DY. Director.

### नई दिल्ली, 29 मार्च, 1971

का० गा० 1501—इस मंतालय की सम संख्यक ग्रिध्युषना दिनांक 5 अगस्त, 1970 के कम में तथा थाय ग्रिधिनियम, 1953 (1953 का 29) की घारा 9 की उपधारा (1) के बच्द (क) द्वारा प्रदल्त काल्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतब्द्वारा भी आई० वी० वोव की सन्ति, चाय बोर्ड के रूप में स्थानायग्र नियुक्ति की अवधि को 31 आर्च, 1971 सक कें लिए बढ़ाती है।

[बं 1(9)-व्यांट (ए)/70] ए॰ के॰ मिल, प्रथानवेंशक ।

# MINISTRY OF FOREIGN TRADE (Office of the Joint Chief Controller of Imports and Exports) ORDERS

New Delhi, the 8th December 1970

S.O. 1502.—M/s. Orient General Agencies, Prop. Baisiwala Bros. Private imited, 2711-Lothian Road, Kashmere Gate, Delhi-6, were granted an Establish-d Importer's licence No. P/E/0163675, dated 27th August, 1968 for Rs. 9,470 for nport of Spare parts for Agricultural Tractors and for Tractor Drawn Agricultural Implements as per remarks in the Red Book Vol. I, under I.T.C. Serial No. 4(iii)/V. They have applied for the Duplicates Customs purpose copy of the aid licence on the ground that the original copy has been lost or misplaced, is, further stated by the firm that the original Customs purpose copy of the aid licence was Registered with Customs House, Bombay and the licence was relilised for Rs. 8049 leaving unutilised balance of Rs. 1,421 and was further evalidated from 29th April, 1970 to 29th July, 1970.

In support of this declaration, the applicant has filed an Affidavit duly attested stating that the Original Customs Purpose Copy of the licence has been lost or misplaced.

I am satisfied that the Original Custom Purpose copy of the said licence has need lost and direct that Duplicate Customs Purpose copy for Rs. 1,421 revalidated upto 29th July, 1970 should be issued to the applicant. The Original Customs Purpose copy of the licence is cancelled.

[No. 74-V/34/A.M. 69/Q.L./CLA.]

दिवेश व्यापार मंत्रालय (मं प्राप्त निवन्त्रक, ग्रायात-निवीत का कार्यालय)

#### भादेश

#### ਜ਼ਰਿਕ੍ਰੀ 8 ਨਿਸ਼ਾਵਾਂ 1970

एस० ग्री० 1502.—सर्वश्री श्रोरिएन्ट जनरल एजन्सीज, श्रो० बेसिवाला बदर्स प्रा० लि०, 2000. लोशियान रोड, कशमीरी गेट दिल्ली—6 की रेड बुक वालुम—1 के आई० टी०सी० क्रम है० 74(3)/5 के अन्तर्गत दी गई टिप्पणियों के अनुसार कृषि ट्रैक्टरों तथा ट्रैक्टर ड्रान कृषि एएकरणों के फालतू पुर्जों के आयात के लिए 9470 रुपये का सुस्थापित आयातक लाइसेंस सं० पी हैं/0163675 दिनांक 27-8-68 स्वीकृत किया गया था। उन्होंने उक्त लाइसेंस की अनुलिप सीमा-शुल्क कार्य सम्बन्धी प्रति के लिए इस आधार पर अनुरोध किया है कि मूल प्रति खो गई है अववा अस्थानस्थ हो गई है। फर्म द्वारा आगे यह बताया गया है कि उक्त लाइसेंस की मूल सीमा-शुल्क कार्य सम्बन्धी प्रति सीमा-शुल्क कार्यालय बम्बई के पास पंजीकृत कराई गई थी और लाइसेंस के मृत्य में से 1,421 रुपये शेंव को छोड़ कर 8049 रुपये का उपयोग कर लिया गया था और 29-4-70 से 29-7-70 तक लाइसेंस और पुनवेंध किया गया था।

इस तर्क के समर्थन में यह बताते हुए कि उक्त लाइसेंस की मूल सीमा-शुल्क कार्य सम्बन्धी श्रीत खो गई है झथवा अस्थानस्थ हो गई है झावेदक ने एक विधिवत् सादयांकित अपथ-पत्न जमा किया है ।

र्में सन्तुष्ट हूं कि उक्त लाइसेंस की मूल सीमा-शुल्क कार्य सम्बन्धी प्रति खो गई हैं

प्रीतितेय देता हूं कि धावेदक को 1,421 रुपये के लिए 29-7-1970 तक पुनर्वेध की गई

प्रतितिप सीमा शुल्क कार्य सम्बन्धी प्रति जारी की जानी चाहिए। मूल सीमा-शुल्क कार्य सम्बन्धी प्रति

रह की जाती है।

[संख्या : मि०स० 74-5/34/ए एम 69/क्यू एस/सी एल ए]

S.O. 1503.—M/s. Orient General Agencies, Prop. Belsiwala Pvt. Ltd., 2711—thian Road, K. Gate, Delhi-S, were granted an Established Importer's Beenes. P/E/0170096, dated 10th July, 1909 for Rs. 7,576 for Import of Space parts

for Agricultural Tractors and Tractor Drawn Agricultural Implements as per Red Book for A.M. 76 L/P under I.T.C. Serial No. 74(iii)/V. They have applied for the Duplicate Customs purpose copy of the said licence on the ground that the original has been lost or misplaced. It is, further stated by the firm that the Original Customs purpose copy of the licence was registered with Customs House Bombay and the licence was utilised for Rs. 4,675 leaving un-utilised balance for Rs. 2901 only.

In support of this declaration, the applicant has filed an Affidavit duly attested stating that the Original Customs Purpose copy of the licence has been lost or misplaced.

I am satisfied that the Original Customs Purpose copy of the said licence has been lost and direct that Duplicate Customs Purpose copy for Rs. 2901 should be issued to the applicant. The original Customs Purpose copy of the licence is cancelled.

[No. 74-V/19/AM-70/QL/CLA.] R. L. VERMA,

Dy. Chief Controller of Imports & Exports, For Jt. Chief Controller of Imports & Exports.

एस० ग्रो० 1503:— सर्व श्री ग्रोरियन्टल जनरल ऐजेंसीज प्रो० बेसीवाला ग्रदसं श्रा० लि० 2711—लोधियान रोड कम्मीरी गेट दिल्ली—6 को ग्रप्रैल-मार्च 70 लाइसेंस श्रवधि के लिये रैंड बुक की ग्राई० टी० सी० कम संख्या 74(3)/5 के ग्रन्गंत दिए गए के ग्रनुसार कृषि ट्रैक्टरों तथा ट्रैक्टर ड्रान कृषि उपकरणों के फालतू पुर्जों के ग्रायात के लिये 7576 रुपये का सुस्थापित ग्रायातक लाइसेंस संख्या पी/ई/170896 दिनांक 10—7—69 स्वीकृत किया गया था। उन्होंने उक्त लाइसेंस की ग्रनुलिप सीमा-शल्क कार्य सम्बन्धी प्रति के लिये इस ग्राधार पर ग्रनुरोध किया है कि मूल प्रति खो गई है ग्रथवा ग्रस्थानस्थ हो गई है। फर्म द्वारा ग्रागे यह बताया गया है कि मूल सीमा-शल्क कार्य सम्बन्धी प्रति-सीमाशुल्क कार्यालय बम्बई के पास पंजीकृत की गई थी ग्रीर लाइसेंस के मूल्य में से 2901 रुपये मात्र शेष को छोड़ कर 4 675 रुपये का ग्रयोग किया गया था।

इस तर्क के समर्थन में यह बताते हुये कि मूल सीमा-शुल्क कार्य सम्बन्धी प्रति खो गई है ग्रथवा गस्थानस्थ हो गई है ग्रावेदक ने एक विधिवत् सांदयाकित अपथ-पत्न जमा किया है।

मैं सन्तुष्ट हूं कि उक्त लाइसेंस की मूल सीमा-शुल्क कार्य सम्बन्धी प्रति खो गई है भौर निदेश ता हूं कि आवेदक को 2901 रुपये के लिए अनुलिपि सीमा-शुल्क कार्य सम्बन्धी प्रति जारी की शनी चाहिये।

लाइसेंस की मूल-सीमा-शुल्क कार्य सम्बन्धी प्रति रद्द की जाती है।

[संख्या 74-5/19/ए एम-70/क्यू॰ एल॰/सी एल ए]

म्रार० एल० वर्मा,

उर-मध्य नियंत्रक, भ्रायात निर्यात, कृते संयुक्त सचिव, मुख्य नियंत्रक भ्रायात-निर्यात

(Office of the Joint Chief Controller of Imports and Experts)
ORDERS

New Delhi, the 17th March 1971

S.O.: 1504.—M/s. Waste Work Engineers (Pvt.) Ltd., 18, Bhandan Village and Bhandus. Bombay.-78. were granted an import licence No. P/D/2174280/

R/KN/36H/21/32, dated 25th August, 1970 of Rs. 25,000 (nupees Twenty Five thossand only). They have applied for the issue of a duplicate Customs as well as thousand only). They have applied for the issue of a duplicate Customs as well as Exchange Control Purposes copies has been lost. It is further stated that the original Custom Purposes copy was not registered with the Customs authorities. The Mitsui Bank Ltd., Bombay has certified that the firm have opened Letter of Credit to the extent of Rs. 13,805.42 np. It was not utilized for the import of goods.

- 2. In support of this contention the applicant has filed an affidavit alongwith a certificate from the Mitsui Bank Ltd., Bombay. I am accordingly satisfied that the original Customs Purposes/Exchange Control Purposes copies of the said licence has been lost. Therefore in exercise of the powers conferred under Sub-Clause (cc) of the Imports (Control) Order, 1955 dated 7th December, 1955, as amended, the said original Custom/Purposes/Exchange Control Purposes copies of the icence No. P/D2174280/R/KN/36/H/31/32, dated 25th August, 1970, issued to M/s. Westerwork Engineers Pvt. Ltd., Bombay are hereby cancelled.
- 3. Duplicate Customs Purposes/Exchange Control Purposes copies of the said icence are being issued separately to the licensee. [No. F. Tool/22/70-71/RMI.]

(मन्य नियंत्रक, श्रायात-निर्ात का कार्यालय)

#### ग्रादेश

## नई दिल्ली, 17 मार्च, 1971

एस म्रो० 1504.-सर्वश्री वस्टर वन्सं इंजीनियसं प्रा० लि०, 15 भण्डूप, बम्बई-78 एनन बीं को 25,000 रुपये (पच्चीस हजार रुपये माल) के लिए एक आयात लाइसेंस संस्था पी/डी/ 2174280/म्रार/के एन/36/एच/31/32, दिनांक 25-8-1970 जारी निया गया था। उन्होंने उक्त लाइसेंस की सीमा शुल्क प्रति मुद्रा विनिमय नियंत्रण प्रति के ग्रन्हि ि वे लिए इस ब्राधार पर ब्रावेदन किया है कि इसकी मूल प्रति खो गई है/ब्रस्थानस्थ हो गई है। सामे यह उल्लेख किया जाता है कि मूल सीमा-शुल्क विभाग सम्बन्धी प्रति को सीमा शुरक प्रधिकारी बग्दई से पंजीकृत नहीं कराया गया था। मितसुई बैंक लि०, वस्वई ने प्रमाणित विया है कि फर्म 13.805.42 रुपये की सीमा तक लाइसेंस के रद करने की सहमत है। इस का उपयोग पाल के ग्रायात के लिए नहीं किया गया था।

- 2. इस तकं के समर्थन में ब्रावेदक ने मितसूई बैंक लि०, बम्बई से एक प्रमाण पत्र के साथ एक भाष्य पत्न दाखिल किया है। तदनुसार मैं संतुष्ट हूं कि उनत लाइ सेर कि मृह संस्था स ाति/मुदा विनिमय नियंत्रण प्रति खो गई है। प्रतः यथा संगोधित, ग्रायात (नियंत्रण) ग्रादेश, 1955 की उपधारा 9 (सी सी) में प्रदत्त अधिकारों का प्रयोग करते हुए सर्वश्री वेस्टर इंजीनियर्स ग॰ लि॰ को जारी किए गए आइसेंस संख्या पी/डें। 2174/280 मार/के/एन/36 एच/31-32, देनांक 25-8-1970 की उक्त मूल सीमा शुल्क प्रति/मुद्रा विनिमय नियंत्रण प्रति एतद्रारा ए को जाती है।
- 3. लाइसेंस धारी की उक्त लाइसेंस की सीमा शुल्क प्रति/मुद्रा विनिमय नियंत्रण प्रति: शिम्रनुलिपि सलग से जारी की जा रहीं है।

[संख्या 44-5/एनपीसी-1-वी]

S.O. 1505.—M/s. R. H. Windsor (India) Ltd., E-6, U. Road, Thana Industrial: state, Thana were granted an import licence No. P/D/2178029/R/KN/34/H/29-30 LI dated 28th February, 1970 for Rs. 7,20,000 (Rupees Seven Lakhs and twenty ousand only). They have applied for the issue of a duplicate Exchange Control irposes copy of the said licence on the ground that the Exchange Control Purposes

copy of the said licence has been lost/misplaced. It is further stated that the original Exchange Control copy was registered with National Grindlays Banicled, Thana and utilised partly. It was utilised for Rs. 4,44,231 and the balance available on it was Rs. 2,75,769.

In support of this contention the applicant has filed an affidavit alongwith a certificate from M/s. National & Grindlays Bank Ltd., Thana. I am accordingly satisfied that the original Exchange Control Purposes copy of the said licence has been lost. Therefore in exercise of the powers conferred under Sub-Clause 9(cc. of the Import (Control) Order, 1955 dated 7th December, 1955 as amended the said original Exchange Control Purposes copy of licence No. P/D/2178029/R/KN 34/H/29/30/MLI dated 28th February, 1970 issued to M/s, R. H. Windsor (India Ltd., E-6, U. Road, Thana, Industrial Estate, Thana is hereby cancelled.

A duplicate Exchange Control Purposes copy of the said licence is being issue separately to the licensee.

[No. F. Tools/142/69-70/RMI]

G. D. BAHL,

Dy. Chief Cotnroller of Imports and Exports

एसः श्रीः 1505.—सर्वश्री विन्डसर (इंडिया) लि॰, ई-6, यू रोड याना इंडस्ट्रीयल स्टेट, याना को 7,20,000 हाये (सात लाख बीस हजार हवये मात्र) का स्रायात लाइसेंस संख्या पांडो/2178029/प्रार/हे/र्न/34/एन/29-3)/एम एन-1 दिनांक 28-2-70 स्वीहत किया गाया। उन्होंने उनत लाइनेंस को स्रुलियि मुद्रा-विनिमय नियंत्रण प्रति के लिए इस स्वार गर प्रति के ता है कि न्न नुद्राविनिमय नियंत्रण प्रति के सिए इस स्वार गर प्रति के ना प्राप्त वह बाया गया है कि पून नुद्राविनिमय नियंत्रण प्रति नेसनल तथा पिण्डले के लि॰ याना नै गित्र को गहेयो, स्रोर उसका स्रोशिक हमसे उनयोग किया गया था। लाइसेंस के मून ने ते 4,44,231 हमों का उपयोग कर लिया गया था प्रोर सेव 2,75,769 बाको बचा था।

2. माते तह के तमार्ग में मिनिक ने सर्वश्री नेगान तथा प्रिण्डले बैंक लि॰ याना से आपन गमाण-गत के नायर एक गाय-गत जमा किया है। तदनुसार में इससे संतुष्ट हूं कि उस लाइतें तको नून गृशा-विनेम में नियंत्रण में दें वी गई है। इत लिए यथा पंशोधित भाषात (नियंत्रण) भादिश, 1955 दिनांक 7-12-1955 की उपवारा 9 (पी सी) के अन्तर्गत प्रदत्त मिनियों का अयोग कर ए व्हारा लाइतें में संख्यापी/डी/2178029/आर/के एन/34/एन/29-30/एम एल 1, दिनांक 28-2-79 की यून मुद्रा विनिमय नियंत्रण प्रति, जो सर्वश्री विण्डसर (इण्डिया) विल०, ई-6, यूरोड, याना इण्डाट्रियल इस्टेट याना के नाम जारी की गई थी, रह की जाती है।

उक्त लाइनेंत की नुरा-विशेनतर नियंत्रण परित मनग से जारी की जा रही है।

[संख्या ट्रुज / 142 / 69-70]

जी० डी० बहल, उप-मुख्य नियंतक, मायात-नियति।

#### MINISTRY OF FINANCE

#### (Department of Banking)

New Delhi, the 16th March 1971

S.O. 1566.—In pursuance of clause (a) of sub-section (1) of section 20 of the Agricultural Refinance Corporation Act, 1963 (10 of 1963), and in supersession of the notification of the Government of India in the Ministry of Finance, Department

Banking, No. F. 14/42/70-SB, dated the 4th November, 1970, the Central Government hereby fixes five and three-fourths per cent per annum as the rate of interest payable on the bonds of the value of eight crores, fifty-two lakks and fifty thousand supees issued by the Agricultural Refinance Corporation on the 26th November, 1970 at par with a maturity period of 12 years.

[No. F. 14/42/70-SB.]

#### वित मंत्रालय

## (बैंकिंग विभाग)

नई दिल्ली, 16 मार्च, 1971.

एसं औं 1506.—कृषि पुनर्वास निगम, श्रिविनियम, 1963 (1963 का 10) की घारा 20 की उपधारा (1) के खण्ड (क) के श्रनुसरण में तथा बित्त मंत्रालय के बैं किंग विभाग की भारत सरकार की श्रिधसूचना संख्या एक 14/42/70-एस बी दिनांक 4 नवम्बर, 1970 का श्रितिक्रमण करते हुए केन्द्रीय सरकार, कृषि पुनर्जित निगम द्वारा 26 नवम्बर, 1970 को सममूल्य पर 12 वर्ष की श्रविध के लिए जारी किए गये श्रिक करोड़ बावन लाख पवाह हजार रुपये के मूल्य के वाण्डों पर, देय ब्याज की दर एतद्द्वारा 53/4 श्रितशत वाषिक निर्धारित करती है।

## [संख्या एफ 0 14/42/70 एस 0 बी 0]

S.O. 1507.—In pursuance of clause (a) of sub-section (1) of section 20 of the Agricultural Refinance Corporation Act. 1963 (10 of 1963) and in supersession of the notification of the Government of India in the Ministry of Finance, Department of Banking, No. F. 14/47/69-SB, dated the 26th November, 1969, the Central Government hereby fixes five and three-fourths per cent per annum as the rate of interest payable on the bonds of the value of eleven crores of rupees issued by the Agricultural Refinance Corporation on the 5th January, 1970 at par with a maturity period of 12 years.

### [No. F. 14/47/69-SB.]

एस० थ्रो॰ 1507.—-कृषि पुनिव त निगम, श्रिधिनियम 1963 (1963 का 10) की घारा 20 की उप घारा (1) के खण्ड (क) के अनुसरण में तथा वित्त मंत्रालय के बैंकिंग विभाग की भारत सरकार की श्रिधपूचना तंख्या एक० 14/47/69-एस०बी० दिनांक 26 नवम्बर, 1969 का श्रितकतण करते हुए केन्द्रीय सरकार, कृषि पुनिवित निगम द्वारा 5 जनवरी, 1970 को सममूल्य पर 12 वर्ष की अविध के लिए जारी किए गए ग्यारह करोड़ रुपये के मूल्य के बाण्डों पर, देय ब्याज की दर एतर्द्वारा 5/3/4/ प्रतिशत वार्षिक निर्धारित करती है।

[संख्या एफ 14/47/69-(एस वी • ]

#### New Delhi, the 26th March 1971

S.O. 1508.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-clauses (i) and (ii) of clause (c) of sub-section (1) of section 10 and sub-sections (2) and (4) of section 10 B of the said Act shall not apply till the 30th June, 1971, to the Vijaya Bank Ltd., Mangalore in so far as the said provisions prohibit Shri M. Sunder Ram Shetty, its Chairman (Chief Executive Officer) from being the Director of the Agricultural Finance Corporation Ltd., which is a company registered under the Companies Act, 1956 (1 of 1956).

[No. F. 13/2/71-ACI.]

## नई दिल्ली, 26 मार्ने, 1971

एसः भोः 1538 --वैकिंग विनियमा मिजिनाम, 1949 (1949 का दलतां) को बारा 53 गरा प्रति तिनामों का प्रशेष करते हुए, केन्द्रोय सरकार, भारतीय रिवर्ष वैक की सिसारिक पर 1810 THE GAZETTE OF INDIA: APRIL 10, 1971/CHATTRA 20, 1893 [PART II

एतदबारा यह घोषित करती है कि उक्त मधिनियम की धारा 10 की उपधारा (1) के खण्ड (म के उपवण्ड (1) भीर (11) भीर घारा 10 म क्री उपधारा (2) भीर (4) के उपबन्ध, जहां तर कि ये उपबन्ध श्री एम० सुन्दरम राम चेट्टी चैयरमैन विजय बैंक लिमिटेड, मंगलौर (मुख्य कार्यकार सधिकारी), को कृषि वित्त निगम लिमिटेड का, जो कम्पनी अधिनियम 1956 (1956 क पहला) के अधीन पंजीकृत एक कम्पनी हैं, का निदेशक होने से रोकते हैं, 30 जुन 1971 तक विज वैंक लिमिटेड मंगलीर पर लाग नहीं होंगे।

सं० एफ० 13/2/71-ए०सी०प्राई०

S.O. 1509.—In exercise of the powers conferred by section 53 of the Bankin Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-clauses and (ii) of clause (c) of sub-section (1) of section 10 of the said Act shall n apply, till the 30th June, 1971, to the under-mentioned banks in so far as the sa provisions prohibit their respective Custodians and/or Chief Executive Officers, whatever name called, from being the directors of the Agricultural Finance Coporation Ltd., being a company registered under the Companies Act, 1956 (1 1956).

Name and designation of Custodian/Chief Executive Officer

#### Name of Bank

**(I)** 

(2)

- 1. Punjab National Bank, New Delhi-
- 2. United Commercial Bank, Calcutta.
- 3. Dena Bank, Bombay.
- 4. Bank of Maharashtra, Poona.
- 5. Indian Overseas Bank, Madras.
- 6. National & Grindlays Bank Ltd., Calcutta.
- 7. The Chartered Bank, Calcutta.

Shri S. C. Trikha, Custodian.

Shri R. B. Shah, Custodian.

Shri R. A. Gulmohamed, Custodian.

Shri C. V. Joag, Custodian.

Shri R. N. Chettur, Custodian

Mr. W. M. Bennett, Chief Manage for India.

Mr. I. S. Gordon, Chief Manager for India

L. D. KATARIA, Dy. Sec

एस० श्रो॰ 1510 -- वैंकिंग विनियमन ग्रिधिनियम, 1949 (1949का दसवां) क धारा 53 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व वैकर्व सिफारिश पर, एतद्द्वारा यह घोषित करती है कि उक्त श्रधिनियम की धारा 10 की उपधारा (1) के खण्ड (ग) के उपखण्ड (।) तथा (।।) के उपबन्ध, निम्नलिखित वैक पर, जहां तक कि जपबन्ध सम्बद्ध बैंक के अभिरक्षक और या मध्य कार्यकारी अधिकारी को, चाहे उसे किसी भी ना से जाना जाय, कम्पनी अधिनियम, 1956 (1956का पहला) के अन्तर्गत पंजीकृत, कृषि विर नियम लिमिटेड का निदेशक बनने से रोकते हैं, 30 जून, 1971 तक लागू नहीं होंगे।

वैंक का नाम

श्रभिरक्षक/मुख्य कार्यकारी श्रधिकारी

का नाम या पद

(1)

(2)

- 1. पंजाब नेशनल बैंक, नई दिल्ली
- 2. युनाइटेड कर्माशयल बैंक, कलकला

श्री एस० सी विखा, समिरकक।

श्री पार० बी० शाह, ग्रामरक्षक ।

(i)

(2)

- 3. देना बैंक, बम्बई
- तैक माफ महाराष्ट्र पूना
- 5. इण्डियन श्रोवरसीज बैंक, मदास
- 6. नेशनप्र ऐण्ड प्रिण्डलेख वैंक, निमिटेख, कलकत्ता ।
- 7. दी बाटंडं बैंक, कलकता

श्री भार । ए । गुलमोहम्मद, श्राभरक्षक । श्री सी । थी । जोग, श्राभरक्षक । श्री भार । एन । चेत्र, श्राभरक्षक । श्री इन्त्यू । एम । वेनेट, भारत के लिए मुख्य श्रवन्थक । श्री श्राई । एम । गोरहोन, भारत के लिए मुख्य प्रवन्थक ।

[संख्या एफ० 13 (2)-71 ए०सी० प्राई०]

एल० डी कटारिया, उप-सचिव।

#### (Department of Banking)

#### New Delhi, the 27th March 1971

8.0. 1510.—In exercise of the powers conferred by section 53 of the Banking legulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-clauses (i) and (ii) of clause (c) of sub-section (1) of section 10 of the said Act shall not apply to the Frontier Bank Ltd., New Delhi till the 6th June, 1971 or till the date of its conversion into a non-banking company/winding up of its affairs, whichever is barlier, in so far as the said provisions prohibit its Chief Executive Officer from being the Managing Director of the Gola Private Ltd.

[No. F. 15(11)-BC/71.]

## (देकिंग विमाग)

## नई दिल्ली, 27 मार्च, 1971

एस॰ ग्री॰ 151 — बिकंग विनियमन ग्रिधिनियम, 1949 (1949 का दसवां) की न्धारा 53 के हारा प्रदत्त गरितयों का प्रयोग करते हुए, केन्ह्रीय सरकार, भारतीय रिजवं बैंक की सिफारिश पर एतद्हारा घोषित करती है कि उक्त अधिनियम की धारा 10 की उपधारा (1) के खण्ड (ग) के उप-खण्ड (1) श्रीर (11), के उपबन्ध, फ्रांटियूए बैंक लिमिटेड, नई दिल्ली पर, 6 जून, 1971 या उस तारीख तक जब यह बैंक, गैर-बैंकिंग कम्पनी के रूप में परिवर्तित न हो जाब । इसका काम बन्द न कर दिया जाय, इनमें से जो भी पहले हो, जहां तक उक्त उपबन्धों का सम्बन्ध इसके मुख्य कार्य-कारी ग्रिधकारीं को, गोला प्राइवेट शिमिटेड के प्रवन्ध निदेशक बनने से रोक्त हैं, खागू नहीं होंगे। [संख्या एक० 15(11)—बी० सी०/71]

S. O. 1511.—Statement of the Affairs of the Reserve Bank of Incia, as on the 19 March, 1971

## BANKING DEPARTMENT

	Linbilities	Rs.	Assets		Rs.
: 4	Capital Paid Up		Notes	•	14,51,52,000
	Reserve Fund.	150,00,00,000	Small Coin		4,01,000
			Bills Purchased and Discounted :-		•
	National Agricultural Credit (Long Term Operations) Fund	172,00,00,000	(a) Internal (b) External (c) Government Treasury Bills		4,88,04,000  16,54,25,000
	National Agricultural Credit (Stabilization) Pund	37,00,00,000	Balances Held Abroad*		102,07,60,000
			Loans and Advances to :		1
	National Industrial Credit (Long Term Operations) Fund	95,00,00,000	(i) Central Government (ii) State Governments@		209,05,46,000
	Deposits :		Loans and Advances to :		
	(A) Government		(i) Scheduled Commercial Banks†	• • •	442,81,80,000
			(ii) State Co-operative Banks††		284,71,42,000
	(f) Central Government	373,74,24,000 11,99,55,000	(iii) Others	•	5,44,97,000

	Rupces	1326,57,16,000	Rupees	1326,57,16,000
Other Liabilities .		142,75,16,000	Other Assets	44.64.64.00
Bills Perable	• • • •	63,48,45,000	(b) Investment in bonds/debentures issued by the Development Bank	• •
			(a) Loans and Advances to the Development Bank	29,83,71,000
(c) Others		69,91,25,000	Loans, Advances and Ivestments from National Indus- trial Credit (Long Term Operations) Fund	
(iv) Other Banks .		27,60,000	Loans and Advances to State Co-operative Banks	4,34,45,000
(iii) Non-Scheduled Str Banks	ate Co-operative	78,37,000	Debentures Loans and Advances from National Agricultural Credit (Stabilisation) Fund.	and the second of the second o
			(b) Investment in Central Land Mortgage Bank	9,59:42,000
(ii) Scheduled State C	o-operative Banks .	8,69,94,000	(iii) Central Land Mortage Banks	
(i) Scheduled Comme	ercial Banks	195,92,60,000	(ii) State Co-operative Eanks	19,79,53,000
			(I) State Governments	35,28,12,000
(b) Bunks			(a) Loans and Advances to :-	. •
			Apricultural Confit (Long Term Operations) Fund-	

<sup>\*</sup>Includies Cash, Pixed Deposits and Short-term Securities.

<sup>\*\*</sup>Becluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

<sup>@</sup>Breitding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

<sup>†</sup>InchidesRs.2266,20,00,000 advanced to scheduled commercial banks against usance bills under Section 17(4) (c) of the Reserve Fank of India Act

<sup>††</sup>Rxd iding Leans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 24th day of March 1971.

# An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 19th day of March, 1971

## ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	14,51,52,000	The state of the s	Gold Coin and Ballion:—	· · · · · · · · · · · · · · · · · · ·	
Notes in circulation	4255,31,44,000		(a) Held in India .  (b) Held ouside India	182,53,11,000	
Total Notes issued		4269,82,96,000	Foreign Securities	268,42,00,000	
			TOTAL		450,95,11,000
			Rupee Coin	• • •	50,14,82,000
			Government of India Rupee Securities		3768,73,03,000
			Internal Bills of Exchange and other commercial paper		••
Total Liabilities		4269,82,96,000	Total Assets		4269,82,96,000
Dated the 24th day of March,	1971	-			S. TAGANATHAN

Governor.

[No. F. 3 (3)-BC-71-] K. YESURATNAM, Under Sery.

एस॰ म्रो॰ 1511--19 मार्च, 1971 को रिजर्व बैंक ग्राफ इंडिया के बैंकिंग विभाग के का कलाप का विवरण।

देयत र्	रुपये	श्रास्तिया			ह ये
बुकता पूँजी	. 5,00,00,000	नोट	•	•	14,51,52,000
गरिश्वत निधि	150,00,00,000	रुपये का सिनका .	•	• ,	29900
		छोडासिकका	•		4,01,000
स्ट्रीय कृति <b>स्ट</b> ण		खरीदे ग्रीर मृना रे गए विल :			
(दीर्पका नीन कियाए) निधि .	172,00,00,000				
त दीय इषि 'हण)		(क) देशी			4 88 4 000
(स्यरोकरण) निधि	37,00 00,000	(ख) विदेश			••
		(ग) सरकारी खजाना बिल			16 54.25,000
्रीय भौद्योगिक ऋण		विदेशों में रखा हुमा बकाया*			1 2, 17, 61,000
ीं बंका रीन कियाएं) निधि .	. 95,00,00,000	निवेश * *	•	•	102,95,23,000
 मा-चिंगवां :		ऋण ग्रीर ग्रविम :			
क) सरकारी		(i) वेन्द्रीय सरकार ः			
(i) केन्द्रीय सरकार	. 373,74,24,000	(ii) राज्य सरकारों को@	•		<b>2</b> 09,05 <b>,46,0</b> 00
(ii) राज्य सरकारें	11,99,55,000	( ,			
		ऋण भीर धन्निः—			
(অ) বঁক ়		(i) ग्रनुसूचित वाणिज्य बैकों को	j•	•	442,81,80,000
(i) ग्रानस्चित वाणिज्य वैक	. 195,92,60,000	(ii) राज्य सहकारी बैकों को 🍴		•	284,71,42,000
(ii) अ दुर्गेषित द्राज्य सहकारी वैक	8,69,94,000	(iii) दूसरों को		•	5,44,97,000
for a fix in man addition and		राष्ट्रीय कृषि ऋण (दीर्घकालीन किय	ायें) नि	धि से	en e
		ऋण, भग्निम भौर निवेश	•		

वेयताएं		Name in the Name of	रुप <b>ये</b>	ग्रास्तियां		स्पर्ध
(iii) वैर-मनुसूचितं राज्य सहकार (iv) ग्रन्य वैक	ी वैश	•	78,37,000 27,60,000	(क) ऋण भीर मसिम : (i) राज्य सरकारों को . (ii) राज्य सहकारी बैंकों को		35,28,12,000 19,79,53,000
(ग) श्रम्य	•	•	69.91,25 <b>,000</b>	(iii) केन्द्रीय भूमिबन्धक बैंकों व (ख) कन्द्रीय भूमिबन्धक वैकों के डि राष्ट्रीय हुईछ ऋण (स्थिरोकर ऋण ग्रीर ग्रग्निम	वेचरों में नि <b>वेश</b>	9,59,42,00
रेय विस	•	•	63.48,45,000	राज्य सहकारी वैंकों को ऋण भीर श्रा राष्ट्रीय भौद्योगिक ऋण (दीर्घकालीन से ऋण, भग्निम भौर निवेश	=	4,34,45,000
पन्य देवताएं	•	•	142,75,16,000	(क) विकास बैंक को ऋष भौर भग्निय (ख) विकास बैंक द्वारा जारी किए गए भन्य भास्तियां		29,83,71,000 नवेस 44,64,64,000
स्परे .	•	•	1326,57,16,000	— इसये		1 32 6, 57, 16, 000

क्तकरी, शार्वावक जमा और श्रम्पकातीन प्रतिभृतियां शामिल हैं।

र्भिश्यद्रीय इति चुण (दीर्चकासीन कियाएं) निधि धीर राष्ट्रीय घीडोगिक ऋण (दीर्चकालीन कियाएं) निधि में से किए गए निवेश सामिस नहीं है। अध्यद्रीय इति चुण (दीर्चकासीन कियाएं) निधि से प्रदत्त ऋण घीर धिग्न शामिल नहीं हैं, परन्तु राज्य सरकारों के प्रस्थायी धोवरहाफ्ट सामिल हैं।

†रिवर्ष वैक शाफ इंज्यिया श्रीवित्यम की शारा 17(4) (ग) के प्रश्लीन प्रनुसूचित वाणिज्य देकों को मियादी विशो पर घष्टिम दिये वये 266,20,00,000 व्यवे आणिस है।

<sup>ी</sup>राष्ट्रीय कृषि ऋण (दीर्षकाशीन कियाएं) निधि घीर राष्ट्रीय कृषि ऋण (स्थिरीकरण) निश्चि से प्रदश्च खूण ग्रीर **धविय शामिल नहीं** हैं।

			इजू विभाग		
देग्ताएँ	इसये	हम्ये	प्रास्तिया	स्पर्	臣
ifen fans # ta gu fie fans # fie	14,51,52,000		सोने का सिवका प्रीर बृत्यियन: (क) भारत में रखा हुमा (ख) भारत के बाहर रखा हुमा	182,53,11,000	
नारी किए गए का नीह		4269,82 96,000	बिदेशी प्रतिपृति	268,42,00,000	
			जोड स्पयेकासिक्का भारतसरकारकीक्षया		45 <b>0,95,11,000</b> 50,1 <b>4,82,</b> 600
			प्रतिपतियां देशी विनिमय विल प्रीर दूसरेवाणिज्य-पत्न		3768,73,03,000
St. Burr		4 26 9, 8 2, 96 000	कुल भास्तियां		4269,82,96,000
ा थि : 24 मार्च, 1971			AND CANADA CANAD	a)	(हेर) इस० जगन्नाचन, सब्देर ।
				सि॰ एक॰ उ	[सं एषः 3 (3)-मोः सी॰/71]
				10 of	के विस्तिम, मबर सबिब

#### (Department of Revenue and Insurance)

#### INCOME-TAX

#### New Delhi, the 1st February 1971

- 8.0. 1512.—In exercise of the powers conferred by sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby authorises:
  - 1. Shri F. Ahmed, and
  - 2. Shri R. K Dutta.

who are Gazetted Officers of the Central Government to exercise the powers of Tax Recovery Officers under the said Act.

2. This Notification shall come into force with effect from 15th February, 1971.

[No. 16(F. No. 404/22/71-ITCC).]

## (राजस्व ग्रंड बीमा विभाग)

#### श्राय-कर

### नई दिल्ली, 1 फरवरी, 1971

एस॰ भ्रो॰ 1512—माय कर मधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (III) द्वारा प्रदत्त शिवतयों का प्रयोग करते हुए केन्द्रीय सरकार एतदद्वारा 1. श्री एफ॰ महमद 2. श्री म्रार० के॰ दत्त को, जो केन्द्रीय सरकार के राजपितत ऋधिकारी हैं, उक्त मधिनियम के मधीन कर वसूली श्रिधकारियों की शिक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह ग्रविसूचना 15 फरवरी, 1971 से प्रवृत्त होगी।

[संख्या 16 (फा॰ सं॰ 404/22/71-ग्राई॰ टी॰ सी॰ सी॰)]

#### New Delhi, the 2nd February 1971

- S.O. 1513.—In exercise of the powers conferred by Rule 4 of the Income-tax (Certificate Proceedings) Rules, 1962 the Central Government hereby appoints the Commissioner of Income-tax, Assam, Nagaland, Manipur, Tripura and Meghalaya, Shillong to be a Tax Recovery Commissioner.
  - 2. This Notification shall come into force with effect from 15th February, 1971.

    [No. 18 (F. No. 404/22/71-ITCC).]

R. D. SAXENA, Dy. Secy-

## नई दिली, 2 फरवरी 1971

एस० औ० 1513 — आयकर (प्रमाणपत्न कार्यवाहियों) नियम, 1962 के नियम 4 द्वारा प्रदत्त शिवतयों का प्रयोग करते हुए केन्द्रीय सरकार एतदद्वारा असम, नागालैंड, मिणपुर, बिपुरा, और मैघालय, शिलांग के आयकर आयुवत को कर बसूली आयुक्त के रूप में नियुक्त करती है।

2. यह ग्रधिसूचना 15 फरवरी, 1971 से प्रवृत्त होगी।

संज्या 18 (फा॰ सं॰ 404/22/71-ब्राई॰ टी॰ सी॰ सी॰)]

**भार० ही० सक्सेना, उप** सचिर्

## (Department of Revenue and Insurance)

INCOME-TAX

New Delhi, the 23rd March 1971

S.O. 1514.—It is hereby notified for general information that the institution sentioned below has been approved by the Indian Council of Agricultural

esearch the "prescribed authority" for the purposes of clause (ii) of sub-section ) of Section 35 of the Income Tax Act, 1961 (43 of 1961):

#### INSTITUTION

Bharatiya Krishi Udyog, Pratishthan (Bharatiya Agro-Industries Foundation), Uruli Kanchan, District Poona.

[No. 88(F. No. 11/15/69-IT(AII).] S. N. NAUTIAL, Dy. Secy.

## (राजस्य करेर बीमा विभाग)

(भ्रायकर)

नई दिल्ली, 23 मार्च, 1971

एस० ग्रो० 1514—सर्वसाधारण की जानकारी के लिए एतदद्वारा ग्रिधसूचित किया जाता है कि निम्नलिखित संस्था को बैज्ञानिक भीर भी खोगिक अनुसंधान परिषद द्वारा, ग्रायकर मधिनियम, 1961 (1961 का 43) की धारा 35 की उपधारा (1) के खण्ड (II) के प्रयोजनों के लिए "विद्वित प्राधिकरण" अनुमोदित विया गया है।

## संस्था

भारतीय कृषि उद्योग प्रतिग्ठान (भारतीय एग्रो इंडस्ट्रीज फाउंडेशन) उस्ली कंचन, जिला पुना ।

> [संख्या 88 फा॰ सं॰ 11/15/69-माई॰ टी॰ (ए 2)] एस॰ एन॰ नौटियाल, उपसचित्र।

#### RESERVE BANK OF INDIA

(Central Office)

Bombay, the 3rd February 1971

Destruction of Records (Public Debt Office) Amendmnet Rules, 1971

- S.O. 1515.—In exercise of the powers conferred by sub-section (1) of section 3 of the Destruction of Records Act, 1917 (5 of 1917), read with the Order of the Government of India in the Ministry of Finance (Department of Economic Affairs) No. G.S.R. 1625, dated the 30th August, 1968, 1, the undersigned, with the previous approval of the Central Government, hereby make the following tules further to amend the Destruction of Records (Public Debt Office) Rules, 1959, published with the notification of the Government of India in the Ministry of Finance (Department of Economic Affairs) No. S.O. 1672, dated the 8th April, 1:59, namely:—
  - These rules may be called the Destruction of Records (Public Debt Office) Amendment Rules, 1971.
  - 2 In the Schedule to the Destruction of Records (Public Debt Office) Rules, 1959, after Serial No. 128 and the entries relating thereto, the following shall be added, namely:—

"129 Interest/Instalment Due Dates Register.

3 years from the date the outstandings therein are copied in a new register."

[No. F. 5(6)-WGM/62.]

(Sd.) Illegible,

Chief Accountant,
Reserve Bank of India
Central Office
Department of Accounts and Expenditure
Central Debt Section,
Bombay,

## मारतीय रिवर्ष में क

## के:बीय कार्यालय

## बम्बई, 3 फरवरी, 1971

श्रीकेष विनशन (सरकारी कग कार्यालय) संशोधन नियमावली 1971

कार कार 1515:-- भारत सरहार हे जिल मंत्रालय (पर्व विभाग) के 30 अवस्त 1968 के सार कार निरु संदेश 1625 के साथ प्रित सिंध नियम प्रितियम 1917 (1917 के पांचवें ग्रविनियम) को धारा 3 को उत्तारा (1) के द्वारा प्रश्त सक्तियों का प्रयोग करते हो मैं प्रश्रोहस्ताक्षरी केन्द्रीय सरकार को पूर्वातुमति से एत्रद्रद्वारा भारत सरकार के विल संज्ञातम (प्रवं विभाग) की मधि प्रवता के साथ निकाले गये दिनांक 8 मर्जन 1959 के कार मार संद्या 1672 के प्रत्यंत प्रकाशित प्रभिनेत्र विनगत (सरकारी कम कार्यालय) नियमावली 1959 में और आगे तंशीका करने के निर्माति जिल्ला नियम बनाता है सर्वात':---

- 1. इत नियमों को जप्रभिनेख वितशत (सरकारी ऋग कार्यालय) संगोधन नियमावली 1971 कहा जा सकेगा।
- 2. अभिनेव विनगत (तरहारी ऋग कार्यात्रय) नियमावती 1959 की अनसूची में कर संज्या 128 ग्रीर जाते सम्बन्धित इन्दराजों के बाद निम्नलिखित जोर दिया जाएगा ग्रथीत :---

"129 ब्याज/किस्त सम्बन्धी उस तिथि से तीन वर्ष बाद जब उसमें दर्ज नियत तिथि रजिस्टर बकाया रकमों को नये रजिस्टर में उतार लिया गया हो।"

[संख्या एक 5 (6)-डब्ल्यू० जी । एम०/62]

ह० ग्रत्यच्ड

मुख्य लेखाकार भारतीय रिजर्व बैंक

केन्द्रीय कार्यालय

लेखा और व्यय विभाग, केन्द्रीय ऋण भ्रनुभाग, बम्बई।

## MINISTRY OF SHIPPING AND TRANSPORT

## (Transport Wing)

New Delhi, the 25th March 1971

8.0. 1516.—Whereas certain draft rules further to amend the Motor Vehicles (Third Party Insurance) Rules, 1946 were published as required by sub-section (1) of section 133 of the Motor Vehicles Act, 1739 (4 of 1939) at pages 44 to 84 and S.O. No. 3202 of the Gazette of India, Part II Section 3—sub-section (ii), dated the 3rd October, 1970 under the notification of the Government of India in the Ministry of Shipping and Transport No. 39-TAG(11)/70, dated the 8th September, 1970 inviting objections and suggestions from all persons likely to be affected thereby, till the 15th October, 1970;

And whereas the said Gazette was made available to the public on the 18th October, 1970.

And whereas the objections and suggestions received from the public on the said draft have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 111 of the said act, the Central Government here makes the following rules further to amend the Motor Vehicles (Third Party Insurance) Rules, 1946, namely:—

#### Rules

The Motor Vehicles (Third Party Insurance) (Amendment) Rules, 1970.

- 1. These Rules may be called the Motor Vehicles (Third Party Insurance) (Amendment) Rules, 1970.
- 2. In the Motor Vehicles (Third Party Insurance) Rules, 1946 (hereinafter referred to as the said Rules), after rule 6, the following rules shall be inserted namely:—

"6A. Application for transfer of certificate of Insurance and policy

- A person who proposes to transfer to another person the ownership of a motor vehicle together with the policy of insurance relating thereto, may apply to the insurer who has issued the certificate of insurance in respect of such vehicle in form AA set out in the Schedule to these rules for the transfer of such certificate and the policy described therein in favour of the person to whom the motor vehicle is proposed to be transferred."
- 3. After Form A of the Schedule to the said Rules, the following form shall be inserted, namely:—

"Form AA (See rule 6 A)

Motor Vehicles Act, 1939

Application for transfer of certificate of insurance and policy:

[No. 39-TAG(11)/70.]

K. C. JOSHI, Dy. Secy.

#### MINISTRY OF STEEL & HEAVY ENGINEERING

(Iron and Steel Control)
ORDER

Calcutta, the 24th March 1971

S.O.1517—ESS.COMM/RPDE/76.—In exercise of the powers conferred on me by Notification No. S.O. 1436, dated 18-4-67, under the Essential Commodities (Regulation of Production & Distribution for purposes of export) Order, 1966, I hereby direct that the firm specified in Column 1 of the Table below shall sell the goods as specified in Column 2 there—against to the firm specified in the corresponding entry in Column 3 of the said table for purposes of manufacture of Engineering goods for export at the price indicated there—against in Column 4 subject to be conditions enumerated in Column 5 of the said table during the period April-June, 1971.

(1)	(2)	(3)	(4)	(5)
Kokoku Wire Led., PF-10. I ew Dolhi South Extension, Part I, New Delhi-3.	High Carbon Wires 212.00 M/T. (Two hundred and thirty two M/Tons only).	M/s. Jaipur Motals & Electricals Ltd., Near Railway Station, JATPUR-6, Rajasthan.	At corrent Market rate.	Supplies should be made on Expert Priority batis (i.e. a priority next only to Defence).

\*(No. PEP|2|4(211)|71.]
By Order etc.
S.S SIDHU,
Director of Export Pre action
& Iron & Steel Controller.

## इस्पात श्रीर भारी इंजीनियरी मंत्रालय

(लोह तया इस्पात निरंत्रण)

मादेश

बल हता, 24 मार्च, 2971

एस० को > 1517: — ग्रावज्यक वस्तु (निर्यात के प्रयोजनों के लिये उत्पादन ग्रीर वितरण का विनियमन) ग्रादेश 1966 के ग्रन्तर्गत ग्रधिमूचना सं० एस० श्रो 1436 दिनांक 18 श्रप्रैल, 1967 के द्वारा प्रदत्त गवितयों का प्रयोग करते हुये मैं, एतद् द्वारा नीचे दिये गये तालिका के स्तम्भ 1 के फर्म को स्तम्भ 2 में उल्लेखित वस्तुश्रों को, स्तम्भ 3 में नामांकित फर्म को इंगोनियरी वस्तुश्रों के उत्पादन तथा निर्यात हेतु स्तम्भ 4 में दिये गये मूल्य पर, स्तम्भ 5 में दिए हए शर्तों पर श्रप्रैल-जून 1970 के ग्रवधि में विक्रय करने का ग्रादेश देता हूं।

फर्मका नाम	वस्तुग्रों का विस्तृ विवरण	त नियंदिक का नाम	मूल्य	शर्त
(1)	(2)	(3)	(4)	(5)
-	हाई कावन वायसे 232 टन (दो सो बत्तीस इ टन सिर्फ)	मेटल्स एण्ड	समय हो	तान प्राथ-

[संख्या पी इपी /2/4 (211)/71]

मात्रा से इत्यादि

एस० एउ० सिद्ध्

नियंत उपादन निदेशक

ग्रीर लीह तथा इत्यात नियंतक ।

## MINISTRY OF EDUCATION AND SOCIAL WELFARE

New Delhi, the 30th March 1971

In the matter of the Charitable Endowments Act, 1890.

Anu

In the matter of the National Foundation for Teachers' Welfare, New Delhi.

S.O. 1518—In pursuance of paragraph 3 of Schedule 'B' to the Not fication of the Government of India, in the Ministry of Education No. S.O. 1955, dated

he 25th June, 1962, as amended by Notification No. S.O. 1485, dated the 29th pril, 1967, and in modification of the Notification No. S.O. 916 dated the 26th ebruary, 1969, the appointment of Shri Siddhartha Shankar Ray, Minister of ducation and Social Welfare, Government of India, as Chairman of the General committee of the National Foundation for Teachers' Welfare, is hereby notified.

-[No. F. 8-34/71-N.S.4] T. R. JAYARAMAN, Jt. Secy.

## MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND

# COOPERATION (Department of Agriculture)

#### CORRIGENDUM

New Delhi, the 9th February 1971

S.O. 1519.—In the notification of the Government of India in the Ministry of Food. Agriculture. Community Development and Cooperation (Department of Agriculture) No. S.O. 3467, dated the 29th September. 1970 and published in the Gazette of India, Part II. Section 3. Sub-Section (ii) dated 24th October, 970 at pages 4875 to 4877, the following corrections are notified:—

Page 4875: The New rule 4 be inserted as under:-

"4. Definition of Quality:—The quality indicated by the respective grade designations and the general characteristics shall be as set out against each grade designation in Columns 2 to 6 and 7 of Schedule II, Columns 2 to 4 and 5 of Schedule III and V, Columns 2 to 5 and 6 respectively of Schedule IV and Columns 2 to 3 and 4 of Schedule VI."

(ii) For Schedules II. IV and VI the following Schedules shall be substituted:—
Page 4876: The word 'aroma' be inserted after the words "taste and" occurng in clause C in Column 6— 'General characteristics' of Schedule IV.

Page 4877:—Grade designation and other particulars in respect of third Grade I Celery Seeds under Schedule VI should be read as per schedule VI attached.

## (See Rules 3 and 4)

Grade designations and definition of quality of Celery see?s

Grade designations	Special Ch	aracteristics	General Characteristics.
(t) ·	Extraneous matter (percentage by weight—Maximum)	Moisture (percentage by weight —maximum)	<b>.</b> (4)
inecial* # icod fair	1 · 0 3 · 0 5 · 0	0.01 0.01	Celery seeds shall:—  (a) he the dried mature fruits of the plant botanically known as Apium graveolens L.,  (b) he free from visible mould, live of dead insects, any harmful foriegn matter and musty odour;  (c) generally conform to the characteristics size, shape, colour, taste and aroms of the variety/type.

Definition: "Extraneous matter" means dust, dirt, stones, earth, chaff, stalks, stems, straw or any other foreign matter.

\*Note:-Special grade shall be free from rodent filth and hird and animal excreta.

[No. 13-9/70-C&M.]

K. RAJAN, Under Secy.

#### (Department of Community Development)

## New Dethi, the 19th March 1971

8.0. 1520.—In exercise of the powers conferred by Section 3 of the Commission of Inquiry Act 1952 (60 of 1952) the Central Government hereby furthe extend upto 31st August, 1971, the period within which the Commission of Inquiry to look into the affairs and accounts of Bharat Sevak Samaj, appointe by the Government of India in the Department of Community Development via Notification No. 9(2)/68-LKK, dated 21st February, 1969, shall make its report to the Central Government.

[No. L. 14012/1/71-PC. N. A. AGHA, Jt. Secs.

## (सामदायिक विकास विभाग)

नई दिखी, 19 मार्च, 1971

एस० थो॰ 1520—जांच मायोग प्रधिनियम, 1952 (1952 का 60) की घारा 3 हारा प्रदत्त मित्तयों का प्रयोग करते हुए, केन्द्रीय सरकार उस कालावधि को जिसके भीतर भारत सेवक समाज के मामलों भीर लेखाम्रों को जांच करने के लिए भारत सरकार के सामुदायिक विकास विभाग की मधिसूचना संख्या 9(2)/68-एल॰के॰के॰ तारीख 21 फरवरी, 1969 हारा नियुक्त थांच मायोग ग्रंपनी रिपोर्ट केन्द्रीय सरकार को देगा, 31 भगस्त, 1971 तक भीर बढ़ाती है।

[संख्या एल॰ 14012/1/71 पी॰ सी॰] एन॰ ए॰ धागा, संयम्त संख्या

#### MINISTRY OF HOME AFFAIRS

New Delhi, the 29th March 1971

- S.O. 1521.—In exercise of the powers conferred by clause (2) of article 77 of the Constitution, the President hereby makes the following rules further to amend the Authentication (Orders and other Instruments) Rules, 1958, namely:—
- 1. (1) These rules may be called the Authentication (Orders and other Instruments) Third Amendment Rules, 1971.
- (2) They shall come into force on the date of their publication in the Official Gezette.
- 2. In Rule 2 of the Authentication (Orders and other Instruments) Rules, 1958, for clause (12) the following clause shall be substituted, namely:—
  - "(12) in the case of orders and other instruments relating to the Ministry of Foreign Trade, by a Director, a Joint Director, or a Deputy Director in that Ministry; or"

[No. F. 3/10/70-Pub.I.] K. R. PRABHU, Jt. Secy.

## मृह मंत्रास्य

#### नई दिल्ली. 29 मार्च. 1971

का० भा० 1521—राष्ट्रपति, संविधान के मनुक्छेद 77 के खण्ड (2) द्वारा प्रवत्त सक्तियों का प्रयोग करते हुए, मित्रप्रमाणीकरण (मादेश भीर मन्य शिक्ति) निवस, 1958 में भीर भागे खंबोधन करने के लिए निम्नलिखित नियम एतद्दारा बनाते हैं, सर्थात् :---

- (1) ये नियम अधिप्रमाणीकरण (भारेश भीर भन्य निवित) सुनी अंकीश्वर निवन,
   1971 कहे जा सकेंगें ।
  - (2) ये सासकीय राजपत्र में प्रकाशन की तारीख को प्रवृत्त हुँ हैं

2. ग्रधिप्रमाणीकरण (भादेश भीर भन्य लिखित) नियम, 1958 के नियम 2 में बच्च (12) के स्थान पर निम्नलिखित खण्ड प्रतिस्थापित किया जाएगा सर्थात :---

"(12) विदेश ब्यापार मंत्रालय से सम्बन्धित भादेशों भीर भन्य शिखतों की दशा में उस मंत्रालय में किसी निदेशक, संयुक्त निदेशक या उपनिदेशक द्वारा; या

[संख्या फा॰ 3/10/70-पब्लिक-1]

के॰ भार॰ प्रमु, संयुक्त सचिव।

#### New Delhi, the 30th March 1971

- S.O. 1522.—In exercise of the powers conferred by the proviso to article 309 the Constitution, the President hereby makes the following rules regulating the ethod of recruitment to the posts of Senior Scientific Officer in the Police Research and Development Bureau, Ministry of Home Affairs, namely:—
- 1. Short title and commencement.—(1) These rules may be called the Police escarch and Development Bureau, Senior Scientific Officer Recruitment Rules, 1971.
- (2) They shall come into force from the date of their publication in the Official azette.
- 2. Application.—These rules shall apply to the posts specified in column 1 of 18 Schedule hereto annexed.
- 3. Number of posts, classification and scale of pay.—The number of posts, their ssification and the scales of pay attached thereto shall be as specified in assification and the scales of pay plumns 2 to 4 of the said Schedule.
- 4. Method of recruitment, age limit, qualifications and other matters—The 1ethod of recruitment to the said posts, age limits, qualifications and other matters innected therewith shall be as specified in columns 5 to 13 of the said Schedule.

Provided that the maximum age limit specified in column 6 of the said Schedule n respect of direct recruits may be relaxed in the case of candidates belonging any of Scheduled Castes or Scheduled Tribes or any other special category in coordance with the orders issued by the Central Government from time to time. 5. Disqualifications.—No person—

- (a) who has entered into or contracted a marriage with a person having a spouse living or
- (b) who, having a spouse living, has entered into or contracted a marriage with any person shall be eligible for appointment to any of the said posts:

Provided that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party of the marriage and there are other grounds for so doing, exempt any person from the operation of this rule.

6. Power to relax.—Where the Central Government is of opinion that it is becessary or expedient so to do, it may, by order, for reasons to be recorded in writing and in consultation with the Upion Public Service Commission, relax any if the provisions of these rules with respect to any class or category of persons in neutrons. or nosts.

Rs. Not 121 40 years
Appli- 13 and below General 700-40 1100-50/2-(Relaxable cable. Class ! 1250 for Govt.

Servants)

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Officer

cientific :

(gra e\*I) Traffic and

Transport

Branch.

Central

Service

[Non-

(Gazette j)

Ministrial

Mechanical or Auto-mobile or Electronic engineering of recognised University or equivalent.

Paperience of Deve lopmental Work is field of the tear gator weaponary of

explosives. Essential:

(if) About 5 year experience in major traffic control equ pmen year or of maintenant

search and Development Brueau, Ministry of Home Affairs.

cribed for irect recruits ill apply in ne case of romotees.

transfer & per-centage of the vacancies to be

whether age nd educaonal qualifiations precribed for

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ot applicable 2 years. cluding shortterm contract failing which by direct recruitment.

filled by various methods.

10

By transfer or Transfer or deputa- Not deputation in- son (including short- Alppliterm contract)

able

As required under the U.P.S.C. (Exemption from Consultation) Regulations, 1958.

Junior Class I Officers in the scale of Rs. 400-950 or equivalent with 5 years service as such and class II Officers in the scale of Rs. 350—900 or equi-valent with 7 years service as such and having experience in the design of Weapons or manufacture of 'tear gas devices or explore aims or irre arms or ammunitions from the Central Government, State Governments, Public Undertakings, Recognised Research Laboratories. (Period of deputation contract-Ordinarily not exceeding 3 years).

ot appli-pable. 2 years cluding short term contract-

By ! transfer or ! Transfer or deputation Not deputation in- (including short-term Applicontract.)

failing which by Junior Class I Officers L. direct recruitment, in the scale of Ra. 400-950 or equivalent with 5 years service as such and Class II sofficers in the scale of Ra.

required A٤ under the U.P.S.C.(Exemption from Consultation) Reguletions, 1958.

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service as such and having experience in the maintenance of traffic control equipment or of maintenance work in an automobile workshop or in the field of instrumentation from the Central Government of State Governments, Public Undertakings, Recognized Research Laboratories. (Period of deputation or contractordinarily not exceeding 3 years).

ot appli-

2 years

By transfer or deputation including short-term contract, failing which by direct in the serecruitment.

Transfer or deputation Not including short-term applicable. Junior Class I Officers in the scale of Rs. 400—950 or equiva-lent with 5 years a service as such and Class II such П Officers in scale of Rs. 350the 900 or equivalent with 7 years service as such and having experience in computer programming from the Central Government or State Governments, Public Undertakings, Recognised Research Laboratories.

(Peroid of deputation or contract-ordinarily not exceeding 3 years). As required under the U.P.S.C. (Exemption from Consultation) Regulations.

[No. 53/1/70-Pers. I.] K. THYAGARAJAN, Dy. Secy.

## नई दिल्ली, 30 मार्च, 1971

कां कां 15?2.--राष्ट्रपति, संविधान के अनुक्छेद 309 के परन्तुक द्वारा प्रदक्त सक्तिये का प्रयोग करते हुए पुलित अनुसंधान और विकास ब्यूरो, गृह मंत्रालय में ज्येष्ट वैज्ञानिक अधिकारी वे पदों पर भर्ती की पद्धित को विनियमित करने वाले, निम्नलिखित नियम एतदद्वारा बनाते हैं, अर्थात्:-

- 1. संक्षिण्त नाम ग्रौर प्रारम्भः—(1) ये नियम पुलिस धनसंघान ग्रौर विकास ब्यूरो, ज्येळ 'ज्ञानिक ग्रधिकारी भर्ती नियम, 1971 कहे जा सकेंगे।
  - (2) ये शासकीय राजपत्र में प्रकाशन की तारीख से प्रवृत्त होंगे।
- 2. सामू होना --- ये नियम इससे उपवादश्चनुसूची के स्तम्म 1 म विनिदिष्ट पदों को सागृ
- 3. पद संख्या, वर्ता करण भीर वेजन रान---पदों की संख्या, उनका वर्गीकरण भीर उनसे संख्या वेजनमान ने होगें जो उका अनुसूची के स्तम्भ 2 से 4 तक में विनिर्दिष्ट हैं।
- 4. भतीं की पद्धित, भायु-सीना, सर्हताएं भीर सम्य बातें .- उक्त पदों पर भतीं की पद्धित भायु-सीमाएं, प्रहृंताएं भीर उनसे सम्बन्धित भन्य बातें वे होंगी जो उक्त भनुसूची के स्तम्भ 5 से 13 तक में विनिदिष्ट हैं:

परन्तु उक्त अनुसूची के स्तम्भ 6 में सीधे भर्ती किए जाने वाले व्यक्तियों की बाबत विनिर्दिष्ट भिषकतम आयु-सीमा, केन्द्रीय सरकार द्वारा समय-समय पर निकाले गए आदेशों के अनुसार, किसी भी अनुसूचित जाति या अनुपूचित जन जाति या किसी अन्य विनेष प्रवर्ग के अध्यक्षियों के सम्बन्ध में शिषिल की जा सकेगी।

- 5. निरहंताएं.-वह व्यक्ति:--
- (क) जिसने ऐसे, व्यक्ति से, जिसका पति या जिसकी पत्नी जीवित हैं, विवाह किया है या
- (ख) जिसने अपने पति या अपनी पत्नी के जीवित होते हुए, किसी व्यक्ति से विवाह किया है, उन्त पदों में से किसी पर नियुक्ति का पाद नहीं होगा :

परन्तु यदि केन्द्रीय सरकार का यह समाधान हो आए कि ऐसा विवाह ऐसे अयक्ति भीर विवाह के भन्य पक्षकार को लागू स्वीय विधि के सधीन अनुहोय है भीर ऐसा करने के लिए भन्य धाधार भी बद है, तो यह किसी व्यक्ति की इस निवस के प्रवर्तन से सूट दे सकेगी।

6. शिविल करने की सक्ति : जहां केन्द्रीय सरकार की राय हो कि ऐसा करना आवश्यक या समीजीन है वहां वह, उसके लिए जो कारण हैं उन्हें लिपि बद्ध करके तथा संब लोक सेवा आयीग से प्राम्श करके, इन नियमों के किसी उपवन्ध की, किसी वर्ग या प्रवर्ग के व्यक्तियों या पदों की वाबत, ग्रादेश द्वारा, शिथिल कर सकेगी ।

## ग्रनुसूची

पुलिस अनुसंधान और विकास ब्युरो, गृह मंत्रालय में ज्येष्ठ वैज्ञानिक अधिकारी, के पद के लिए

भर्ती नियम ।			·		
पद का नाम }	पदों की संख्या	वर्गीकरण	वेतनमान है	चयन पद ग्रयवा ग्र पद	•
1	2	3	4	5	6
ा ज्येष्ट वैज्ञानिक ग्रिधिकारी (श्रेणी 1) ग्रस्त्र शाखा	्वे व प	_ `	700-40- 1100-50/ 2-1250 हिपए	लागू नहीं होता	ं 40 <b>वर्ष भी</b> र उस से कम (सरकारी सेवकों के लिए शिषिल की जा सकती हैं)
सोबे भर्गो किए जाने वा लिए गैक्षिक स्रोर स्र	_	क्या सोधी किए जाने व्यक्तियों वे विहित भ्र गौक्षिक भ्रहें प्रोन्नित के लागू होंगी	वालं काल हेलिए   यदि गयुद्धौर ताएं ही दशा में∮	गवधि कोई हो	भर्ती की पद्धित, भर्ती सीघे होगी या प्रोन्नित द्वारा या प्रतिनिम्क्ति/ स्थानान्तरण द्वारा तथा विभिन्न पद्धितयों द्वारा भरी जाने वासी रिक्तियों की प्रतिभत्तता।

श्रावध्यक :----

लागु नहीं होता (1) मान्यता प्राप्त विश्वविद्यालय की

स्थानान्तरण या प्रति नियुक्ति द्वारा जिसके **प्रन्तगंत प्र**स्पकालिक संविदा भी है, भीर जिसके म हो सकत पर सीधी भर्ती द्वारा।

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**े वर्ष** 

ग्रनप्रायोजिक भौतिकी में मास्टर की उपाधि या रसायन या यांत्रिक उनी-नियरी में उपाधि या उसके समतुल्य (।।) ब्रस्त्रों की डिजाइन तैयार करने या ग्रश्न-गैम युक्तियों या विस्फोटको या अन्यायधों या गोलाबारुदों के

विनिर्माण के क्षेत्र में पांच वर्ष का ग्रनुभव.।

(म्रन्यथा मुम्रहित अभ्यथियों की दशा में धहताएं द्यायोग के विवेकानमार शिथिल की जा सकेगी।

बांछ्नीय :---

. प्रश्रु-गैस या प्रस्तों या विस्फोटकों के क्षेत्र में विकास सम्बन्धी काम का श्रनुशव

लिति/प्रतिनियुक्ति/स्थानान्तरण द्वारा भर्ती की मा में वे श्रेणियां जिनसे प्रोम्नति/प्रतिनियक्ति/ स्थानान्तरण किया जाएगा

यदि विभागीय

भर्ती करने के किन परि-प्रोत्मति समिति हैं स्थितियों में संब लोक सेवा तो उसकी संरचना आयोग से परामर्श किया जाएगा

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वानान्तरण या प्रतिनियुनित जिसके अन्तर्गत अस्पकालिक संविदा भी है)

400-950 रुपये के वेतनमान में कनिष्ट वर्ग-1 के अधिकारी या उनके समतुल्य, जो इस रूप में गांच वर्ष तक सेवा कर चुके हों भीर 350-900 हमए के वेतनमान में वर्ग 2 के मधिकारी या उन के समनुल्य जो इस रूप में सात वर्ष तक सेवा कर चके हों भौर जिन्हें केन्द्रीय सरकार या राज्य गरकारों, लोक उपक्रमों या मान्यताप्राप्त ग्रनसंधान प्रयोगशालाओं से घस्त्रों की डिजाइन नैयार करने या श्रश्न गैस यु बितयों या विस्फोटकी या ग्रन्यायधों या गोला बारुद के विनिर्माण का ग्रनभव हो ।

(प्रतिनिय्क्ति या संविदा की श्रवधि मामान्यत: उ वयं से प्रधिक नहीं होगी)

लागू नहीं होता

जैसा संघ लोक सेवा ग्रामीय (परामर्श से छूट) विनियम 1958 के प्रधीन अपेक्षित 71

1834 THE GAZETTE OF IND	IA: APRIL 10,	1971/CHAITE	A 20, 1893 [P.St. 4]
1 2	3	4	5
<ol> <li>अपेस्ट वैज्ञानिक 3</li> <li>ग्रिधिकारी (श्रेणी</li> <li>पातायात ग्रीर</li> <li>परिवहन शाखा</li> </ol>			
7	8	9	10
2. ग्र.बश्यक (i) मान्यता प्राप्त विश्वविद्यालय की यांतिक या मोटरगाड़ी या इलैक्ट्रोनिक इंजीनियरी में उपाधि या उसके समतुल्य । (ii) यातायात नियंत्रण सम्बन्धी उप- स्कर बनाए रखने का या मोटरगाड़ी कर्मशाला में देख रेख के काम का या साधन विनियोग (इल्स्ट्रू मेन्टेशन) के क्षेत्र में लगभग पांच वर्ष का प्रनुभव । (ग्रन्यथा सुर्ग्रहित भ्रभ्यथियों की दणा में प्रहुंताएं ग्रायोग के विवेका- नुसार शिथिल की जा सकेंगी) वांखनीय (i) विकास सम्बंधी काम का ग्रनुभव (ii) पुलिस कार्य से सुपरिचित होंना ।	, , ,	2 वर्ष	स्थानान्तरण या प्रति नियुक्ति द्वारा जिस अन्तर्गत अल्पकानि संविदा भी हैं भी जिसके न हो सक पर सीधी भर्ती द्वार

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स्वानान्तरण या प्रतिनियुक्ति
(जिसके अन्तर्गत अल्पकालिक संविदा भी हैं)
400-950 रुपये के वेतनमान में किन ट वर्ग-1
के अधिकारी या उनके समतुल्य, जो इस रूप में
पांच वर्ष तक सेवा कर चके हों और 350-900
रुपए के वेतनमान में वर्ग 2 के अधिकारी या
उनके समतुल्य, जो इस रूप में सात वर्ष तक
सेवा कर चुके हों और जिन्हें केन्द्रीय सरकार या
राज्य सरकारों, लोक उपक्रमों या मान्यताप्राप्त
अनुसंधान प्रयोगशालाओं से यातायात सम्बन्धी
उपस्कर बनाए रखने का या मोटरगाड़ी कर्मशाला में देखरेख के काम का या साधन विनियोग
(इन्हरू मेन्टेशन) के सेत में अनुभव हो।
(प्रतिनियुक्ति या संविदा की अवधि सामान्यत:
3 वर्ष से अधिक नहीं होगी।)

लागू नहीं होता जैसा संघ लोक सेवा आयोग (परामर्श से छूट) विनियम

(परामणं से छूट) विनियम 1958 के भ्रधीन भ्रपेक्षित

हैं।

1	2	3	4	5	e e ere e
3 ज्येष्ट वैज्ञानिक प्रधिकारी (श्रेणी 1)	3				
कम्प्यूटर शाखा		and the same of th			·
7	andière ( ) e , et e , saide,	an i i straditionale alternagion agrico as vi	8	9	10
3. झावःयक		 लागू नही	 होता	2 वर्ष	स्यानान्तरण
(i) मान्यता प्राप्त विश्वविद्य	रलय की	• • • • • • • • • • • • • • • • • • • •			नियुक्ति इ
सां व्यिकी या अर्थशास्त्र	या गणि	त			घन्तर्गत १
(सांक्यिकी सहित) या भौ					संविदा प्र
मास्टर की उपाधि या व					जिसंके न
यां <mark>त्रिक इंजीनियरी</mark> में उप	ाधि या				पर सीधी
उसके समतुल्य ।					
(ii) कम्प्यूटर प्रोग्रामिंग में	लगभग				
. /					
पांच वर्षं का ग्रनुभव।					
	की <b>दश</b>	T			

लागू नहीं होता

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हवानात्तरण या प्रतिनियुक्ति जिसके प्रश्तमंत सहन्याहिक सर्विवा (भी है) 400-950 रुपए के वेतनमान में कनिष्ट वर्ग 1 के प्रविकारी या उनके समतुस्य, जो इस रूप में पांच वर्ष तक सेवा कर चके हों और 350-900 रुपए के वेतनमान में वर्ग 2 के प्रविकारी या उनके समनुख्य, जो इस रूप में सात वर्ष तक सेवा कर चूके हों और जिन्हें केन्द्रीय सरकार या राज्य मरकारों, लोक उपक्रमों या मान्यतात्राप्त ग्रनसंधान प्रयोगशासात्रों से कम्प्यूटर प्रोग्नामिंग

(प्रतिनियुक्ति या संविदा की श्रवधि सामान्यतः | 3 वर्ष से प्रधिक नहीं होगी)

में प्रनभव हो ।

जैसा संघ लोक सेवा प्रायोग (परावर्ष से सूट) विनियम 1958 के प्रधीन प्रपेक्षित हैं

[संख्या 53/1/70-कार्मिक-1] के० त्यागराजन, उप संख्या

#### New Delhi, the 30th March 1971

S.G. 1523.—In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that the Administrators (whether known as Lieutenan Governors Chief Commissioner or Administrator) of the Union Territories of Delh Manipur, Tripura, the Andaman and Nicobar Islands, the Laccadive Minicoy at Amindivi Islands, Dadra and Nagar Haveli, Goa, Daman and Diu, Pondicherry at Chandigarh, shall, subject to the control of the President and until further order exercise the powers and discharge the functions of the State Government under the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970) within the respective Union territories.

[No. F. 2/271-UTL

M. R. SACHDEVA, Under Sec

## नई दिल्ली, अगमार्च, 1971

का० आ० 1523.—संविधान के अनच्छेद 239 के खण्ड (1) के अनुसरण में, राष्ट्रपति एतद-द्वारा निदेश देते हैं कि दिल्ली, मिनपुर, विपुरा, अंडेमान और निकोबार द्वीपसमूह, लक्कादीव, मिनिकोय और अमोनदीवी द्वीप समूह, दादरा और नागर हवेली, गोवा, दमण और दीब, पांडिचेरि और चंडीगढ़ संघ राज्यक्षेत्रों के प्रशासक (चाहे वे उपराज्यपाल, मुख्य आयुक्त या प्रशासक कहलाते हों) राष्ट्रपति के नियंत्रणाधीन और आगे आदेश होने हैं तक अपने-अपने संघ राज्यक्षेत्रों के भीतर संविद अमिक (विनियमन और उत्सादन) अधिनियम, 1970 (1970 का 37) के अधीन राज्य सरकार की शक्तियों का प्रयोग और कृत्यों का पालन करेंगे।

· [सं० एफ० 2/2/71-यू०टी०एल]

एम० भार० सचदेवा, भवर सचिव ।

#### New Delhi, the 31st March 1971

- S.O. 1524.—In exercise of the powers conferred by the proviso to artick 309 of the Constitution, the President hereby makes the following rules, regulating the method of recruitment to the post of Director, Police Telecommunications and Inspector General (Communications), Border Security Force, Ministry of Home Affairs, namely:—
- 1. Short title and commencement.—(1) These rules may be called the Director Police Tele-Communications and Inspector General (Communications) Border Secruity Force Recruitment Rules, 1971.
- (2) They shall come into force on the date of their publication in the Official
- 2. Number, Classification and scale of pay.—The number of the post, its classification and the scale of pay attached thereto shall be as specified in columns 2 to 4 of the Schedule hereto annexed.
- 3. Method of recruitment, age limit, qualifications etc.—The method of recruitment to the said post, the age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 11 of the said Schedule:

Provided that the maximum age limit specified in column 6 of the said Schedule in respect of direct recruits may be relaxed in the case of candidates belonging to any of the Scheduled Castes or Scheduled Tribes or any other special category, in accordance with orders issued by the Central Government from time to time.

## 4. Disqualifications.—No person:—

- (a) who has entered into or contracted a marriage with a person having a spouse living, or
- (b) who having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the said post.

Provided that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and there are other grounds for so doing, exempt any person from the operation of this rule.

Power to relax.—Where the Central Government is of opinion that it is ssary or expedient so to do, it may, by order, for reasons to be recorded in ing, and in consultation with the Union Public Service Commission relax of the provisions of these rules with respect to any class or category of ions.

qualified).

EDULE

ms) Border Security Force, Ministry of Home Affairst.

nd educa- probation, onal quali- if any. cations presribed for irect reclits will pply in the ase of Pronotees

direct rectt. or by promotion or by deputapercentage of the vacancies to be filled by various methods

hether age Period of Method of rectt. In case of rectt. by nd educa-probation, whether by promotion/deputation/transfer, grades what is to from which promotion/deputation/ sition tion/transfer and transfer to be made

erists,

If a DPC Circumstances in which U.P.S.C. is to be consulted in making rectt.

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ot applica- 2 years

Transfer on deputation failing which by direct recruitment.

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Transfer on Deputation Not app- As

(i) Indian Police/ licable u
Indian Police Ser- of vice Officers of the rank of Inspector General, or D.I.G. with at least 4 years service 28 such, and having experience in Tele-

communications

work.

- (ii) Non-Indian Police! Indian Police Service officers holding posts equiva-lent to D.I.G. with 4 years service in the grade and having experience of telecommunications work.
- (iii) Army officers of the rank of Maj. Gen., or Brigadier who have been who have been approved for promotion as Maj. Genl., and having experience in telecommunications work.

(Period of deputation ordinarily not exceeding 5 years).

As required under the Uni-on Public Service Commission (Exemption fro Consultation) from Regulations, 1958.

[No. F. 12/3/70-Pers.I.] G. S. GREWAL Dv. Secv.

## नई दिल्बी. 31 मार्च, 1971

कां कां 1524.-राष्ट्रपति, संविधान के अनुन्छेद 309 के परन्तुक द्वारा प्रदत्त सक्तियों का प्रयोग करते हुए निदेशक, पुलिस दूर-संचार और महानिरीक्षक (संचार) सीमा सुरक्षा बल, गृह मंत्रालय के पद पर भर्ती की पद्धति को विनियमित करने वाले निम्नलिखित नियम एतद्द्वारा बनाते हैं, धर्वात:---

- संक्षिप्त नाम ग्रीर प्रारम्भ (।) ये नियम निदेशक पुतिस दूर-संचार भीर महानिरीक्षक (संचार) सीमा सुरक्षा बल भर्ती नियम, 1971 कहें जा सकेंगे।
  - (2) ये शासकीय राजपत में प्रकाशन की तारीख को प्रवृत्त होंगे।
- 2. संख्या, वर्गीकरण भीर वतनमान पद की संख्या, उसका वर्गीकरण भीर उससे संख्य वै नमान वे होंगे जो इससे उपावद भन् सूची के स्तम 2 से 4 तक में विनिर्दिष्ट हैं।
- 3. भर्ती की उड़ति, श्राबु-सी श, श्रहेताएँ श्रावि: उक्तपद पर भर्ती की पढ़ित, श्रायु-सीम श्रहेताएं शीर उससे संबंधित प्रन्य बात वे होंगी जो उक्त अनुसूची के स्तंभ 5 से 11 तक में विनि विष्ट है :

परन्तु उनत अनुसूची के स्तम्भ 6 में सीधे भर्ती किए जाने वाले व्यक्तियों की बाबत विति-विष्ट अधिकतम आयु-सीमा केन्द्रीय सरकार द्वारा समय समय पर निकाले ए आदेशों के अनुसा .कसी भी अनुसूचित जाति या अनुसूचित जनजाति या किसी अन्य विशेष प्रवर्ग के अध्यवियों के संबंधः में शिविल की जा सकेगी।

- 4 निरहंताएं :--वह व्यक्ति--
- (क) जिसने एसे व्यक्ति से जिसका पति या जिसकी पत्नी जोवित है, विवाह किया है :-या
- (ब) जिसने अपने पति या अपनी पत्नी के जीवित होते हुए किसी अपनित से विवाह किया है

सेवा में नियुक्ति का पात नहीं होगा :

परन्तु यदि केन्द्रीय सरकार का समाधान हो बाए कि एसा निवाह ऐसे व्यक्ति और वि है जन्य प्रकार को लागू स्वीय विधि के समीन सन्हेंब है और एसा करते के किसेसम्ब साधा वीजव हैं तो वह किसी न्यनित को इस निवय के प्रवर्तन है कर के अधिनी

5. क्रिक्सि करने की क्रिन्त -- जहां केन्द्रीय सरकार की राय हो कि ऐसा करना आवश्वक या समीचीन है वहां वह, उसके लिए जो कारण हैं उन्हें लिपिबद्ध करके तथा संघ लोक सेवा ग्रायोग से परामर्श करके, इन नियमों के किसी उपबन्ध को, किसी वर्ग या प्रवर्ग के व्यक्तियों की बाबत, श्रादेश द्वारा शिथिल कर सकेगी।

मनु निदेशक, पुलिस दूर-संचार भौर महानिरीक्षक (संचार) सीमा, सुरक्षा बल, गृह मंत्रालय

पद का नाम	पदों] की   सं०	वर्गीकरण	वे	तनमान	चयन पद ग्रथवा श्रचयन पद	सीधे भर्ती । जाने वाले व्यक्तियों के ग्रायु	
1	2	3		4	5	6	In any
निदेशक पुलिस 'दूर संचार भीर महानिरीक्षक (संचार) !	1	साधारण केन्द्रीय सेवा वर्ग I राजपत्रित ।	के भा ग्रिधिव 250 रु० इ 250	तिक्षक की पंक्ति रतीय पुलिस के तारी के लिए 0-125-300 पन्य के लिए 0-125/2-	लागू नहीं है होता ।	ग्रधिमानतः वर्षं से कम	
भीधे भर्ती किए जाने वाले व्यक्तियों के लिए? शैक्षिक और अन्य अर्हताएं			ι <b>ψ</b> ]	ग्रीर शैक्षिक ग्र	ए जाने वाले नए विहित स्रायु हिताएं प्रोन्नतों गू होंगी या नहीं	परिवीक्षा व कालावधि य कोई हो	
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शास्त्र : क्रिकी र		uuz Guzluz	'à-	ज्ञा ज्ञीं के		्र सर्व	

भावः यकः किसी मान्यता प्राप्त विश्वविद्यालयं से लागू नहीं होता दूर संचार इंजीनियरी में उपाधि या समतुत्य; या

2 वर्ष

(ii) किसी मान्यता प्राप्त विश्वविद्यालयं से विश्वेष विषय के रूप में रेडियो संचार सहित विद्युत इंजीनियरी में उपाधि या समतुल्य,

(या)

किसी मान्यता प्राप्त विश्वविद्यालय से भौतिकी में मास्टर की उपाधि या विशेष विषय वायर लैस सहित समतुल्य

(iii) रेडियों दूर संचार संगठन में किसी उत्तर-दायी पद पर लगभग 15 वर्षों का अनुभव अवश्य होना बाहिए, जिसमें से वरिष्ट तकनीकी और प्रकासनिक उत्तरदायित्व के पद पर लगभग 8 वर्षों का अनुभव होना चाहिए । (अन्य वा सुम्रहित अभ्याययों की दशा में अहंताएं आयोग के विवेकानुसार शिथिल की जा सकेंगी) ।

## के पद के लिए भर्ती नियम

ों की पदिति/भर्ती सीधे ति या प्रोन्नति द्वारा या नियं क्ति स्थानान्तरण तथा विभिन्न पद्धतियों ा भरी जाने वाली रिक्तियों का प्रतिशत

प्रोन्नति,प्रतिनियुक्ति/स्थानान्तरण यदि विभागी द्वारा भर्ती के दशा में वे श्रेणियां जिनसे प्रोन्नति/प्रतिनियुक्ति/ स्थानान्तरण किया जाएगा

प्रोन्नति समिति है तो उसकी संरचना

मर्ती करने में किन परिस्थितियों में संघ लोक सेवा ग्रायोग से परामर्श किया जाएगा

10

11

12

13

नियक्ति पर स्थानान्तरण रा जिसके न हो सकने पर तेधी भर्ती द्वारा।

प्रतिनिय्क्ति पर स्थानान्तरण (i) महानिरीक्षक की पंक्ति के या उस हैसियत में कम से कम 4

वर्षों की सेवा सहित उप महा-निरीक्षक के पद के भारतीय पुलिस/भारतीय पुलिस सेवा के **प्रधिकारी जिन्हें दूर संचार कार्य** में अनुभव हो।

- (ii) इतर भारतीय पुलिस/भारतीय पुलिस सेवा के प्रधिकारी जो उप महानिरीक्षक के समत्त्य पद धारण करते हों तथा जिन्होंने उस श्रेणी में 4 वर्ष तक सेवा की हो ग्रीर जिन्हें दूर संचार कार्य का भनुभव हो । (प्रतिनियुक्ति की भवधि सामान्यतः 5 वर्ष से भधिक नहीं होगें।)।
- (iii) मेजर जनरल की पंक्ति के सेना श्रधिकारी या बिगेडियर की पंक्ति के वे सेना प्रधिकारी जो मेजर जनरल के रूप में प्रोत्नति के लिए धनुमोदित किए जा चुके हैं भीर जिन्हें दूर संकार कार्य में धनुषय हो।

लाग् नहीं : होता।

संघ लोक सेवा ग्रायोग (पराम**र्श** से छूट) विनियम, 1958 के भधीन यथा अपेक्षित।

## MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

## (Department of Labour and Employment)

New Delhi, the 27th March 1971

S.O. 1525.—In pursuance of section 17 of the Industrial Disputes Act, 18 (14 of 1947), the Central Government hereby publishes the following award the Central Government Industrial Tribunal, Calcutta in the industrial disp between the employers in relation to the National and Grindlays Bank Limi and their workmen, which was received by the Central Government on the 2 March, 1971.

## CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

REFERENCE No. 66 of 1970

PARTIES:

Employers in relation to the National and Grindlays Bank Ltd.

AND

Their workmen.

PRESENT:

Mr. B. N. Banerjee, Presiding Officer.

APPEARANCES

On behalf of Employers-Mr. M. S. Bala.

On behalf of Workmen-Mr. A. D. Singh.

STATE: West Bengal.

INDUSTRY: Banki

#### AWARD

By Order No. 25/113/70-LR.III, dated December 10, 1970, the Government India, in the Ministry of Labour, Employment and Rehabilitation (Department Labour and Employment), referred the following industrial dispute between temployers in relation to the National and Grindlays Bank Limited and the workmen, to this Tribunal, for adjudication, namely:—

"Whether the action of the management of the National and Grindlays Ba Limited, Calcutta, in withdrawing, with effect from the 9th Janua 1970, the customary concession of treating the period of absence on duty in respect of those workmen who, as office-bearers of National and Grindlays Bank Staff Union, represent its case in placedings under the Industrial Disputes Act, is justified? If not what relief are the workmen entitled?"

- 2. There are two trade unions operating in National and Grindlays Bank Limit Calcutta, namely, National and Grindlays Bank Employees Union and National and Grindlays Bank Staff Union (hereinafter referred to, for the sake of brevity, prectively as the 'Employees Union' and the 'Staff Union'). The present disp is between the employers and the Staff Union.
- 3. The case pleaded in the written statement filed by the workmen, resented by the Staff Union, was that the Staff Union came into existence in 1965 became a registered trade union in the month of June, 1966. Since the formal fit was alleged, this new trade union was disliked by the management and that rival trade union, namely, the Employees union, tried "to nip this union in the management fully supported them". In paragraph 2 of the write statement, it was further pleaded that the management began to discriminate the members of the staff union and the members of the Employees Union their favourites, in the matter of grant of loan, privilege leave, cheap canteen, in spite of dedicated service put in by the members of the Staff union. In a graphs 3 and 4 of the written statement, it was pleaded:
  - "3. That the members of this union since been facing allround onsis launched by the management as well as by its patronised union (a tried its best to protect the right of its members through constitut methods. This union raised various disputes with some success and there and hence the management, at the institution of the rival union, began to treat the general constants of this union on the days he attended the conciliation processings and Indu Tribunals, with effect from 9th January. 1878.

4. That since the very inception of this union, its general secretary enjoyed a customary concession of being treated as duty on leave when he attended conciliation proceedings and industrial Tribunal. This concession continued till December, 1969 and the management all of a sudden withdrew this facility, without any information whatsoever, or without assigning any reason for it."

was alleged, in the written statement, that the withdrawal of the customary cession was made with the clear motive to curb the activities of the Staff on and to lower its prestige amongst the employees in Calcutta. The action the management was all the more worse, it was pleaded, because the General retary of the Employees Union was kept free to carry on his trade union acties during office hours, without objection from the management. Similarly, ier office-bearers of the Employees Union were also free, after 2 P.M. for their ion activities. In paragraph 7 of the written statement, further particulars of icrimination practised in favour of another trade union called All India tional and Grindlays Bank Employees Federation was alleged in the following inguage:—

"7. That the General Secretary of the All India National and Grindlays Bank Employees Federation, a rival to this union, Sri R. Sadasivan of the Madras Branch, Shri Rajendra Sayal of Delhi Branch of the Bank and others have been sanctioned travelling and halting allowance, when they attended conciliation proceedings in Calcutta. Their absence from the respective branches has been treated as duty on leave along with Sarvashri A. K. Banerjee, Manoj Kumar Bose and Sambhu Nath Banerjee of different branches in Calcutta."

n the aforesaid circumstances, prayers were made for declaration that the withman, with effect from January 9, 1970, of the customary concession of treating he period of absence as on duty in respect of those workmen who, as office bearers if the Staff Union, represented cases in proceedings under the Industrial Disputes act, as unjustified and for direction upon the management to restore all casual and privilege leave deducted from the leave account of Sri A. D. Singh, General scretary of the Staff Union.

4. The management filed an exceedingly cryptic written statement at first. In magraphs 2 and 3 of the said written statement there were two preliminary obertions taken to the effect, (a) that the dispute was not an industrial dispute with an individual dispute, as the trade union had no representative character and (b) the dispute was not an industrial dispute as defined under the Industrial Disputes Act, as it was not connected with the employment or non-employment or the terms of employment or the condition of labour of any person. In paragraphs and 6 of the written statement, two grounds were taken on merits, namely, that the management was under no obligation to grant special leave to the workmen for itending proceedings under the Industrial Disputes Act and that there could be no ustomary concession of treating a period of absence as on duty in respect of those workmen, who claimed to be office-bearers of the Staff Union, to represent themselves at proceedings under the Industrial Disputes Act.

5. Subsequently the management filed a rejoinder. In paragraph 3 of the aid rejoinder it was stated:

"It is admitted that the General Secretary of this Union was advised that from 9th January, 1970 he would be granted leave if he applied for the same, to enable him to appear at Conciliation Proceedings/Tribunal Proceedings."

In paragraph 4 of the rejoinder, the reason behind the order, dated January 9. was pleaded in the following language:—

"There was no 'customary concession' as alleged. For sometime pest other members of the clerical staff have been objecting to Mr. Singh leaving his work unattended on going out of the office and one of them having to do his work. This objection gathered momentum and resulted in other members of the clerical staff of the Branch refusing to do his work, if he was granted permission to leave the office during working hours. They also threatened to stop work. In the Brabourne Road branch where Mr. A. D. Singh, Secretary of the applicant Union, works as a clerk, no other member of the derical staff was a member of the Staff Union. The Management therefore decided that it Mr. Singh wanted to leave the office he should apply for leave."

- In paragraph 7 of the said rejoinder it was stated:
- paragraph 7 of the said rejoinder it was seed.

  "This 'Union' cannot be compared to the All Indian National and Grindle Bank Employees' Federation in that this Union has only a small Bank as its members. It is admitted the number of workmen of the Bank as its members. It is admitted to the office bearers of the Federation were granted travelling at halting allowance for attending conciliation proceedings."
- 6. I need first of all deal with some of the preliminary objections raised; Mr. Bala, on behalf of the management. It is not disputed that the total numb of workmen in all the Calcutta Branches of National and Grindlays Bank Limite is 1670. Radheshyam Tripathi, who is the Assistant Secretary of the Staff Unique admitted, in answer to a question put by the Tribunal, that the total number membership of the Staff Union would be about 40 to 45. In course of his cross examination be further said:
  - "The members of the Staff Union are mostly employees in Calcutta. I Brabourne Road branch of the Bank, there are two members of the Staff union, namely Balaram Singh and Amardeo Singh. In Chow ringhee branch, there are about 20 to 25 members. In the following branches of the Bank, there is no member of the Staff Union, namely Vivekananda Road branch. Entally branch, Jodepur branch, 31 Chow ringhee branch, Maniktala branch and a few more, I do more remember." remember.

On behalf of the management, K. Rama Prasad, the Accountant at No. 4 Chowringhee branch of the Bank, was examined as a witness. He stated in cour of his examination-in-chief:

"99 per cent of the employees of National and Grindlays Bank Limited belongs to the trade Union called Employees' Union. The Employees Union is affiliated to All India National and Grindlays Bank Employed Federation, which Federation controls about 99 per cent of employees."

Thus, on the evidence there is no dispute that the Staff Union does not have contain over the majority of the workmen. Now, in deciding the preliminary objection raised by Mr. Bala that the dispute should not be treated as an industrial dispute because the Staff Union have no representative character, I need bear in mind; further fact that there is no case pleaded by the management that the Staff Union was an unrecognised trade union. Be that as it may, the law is, if a substantial number of the persons, who raised an industrial dispute, were members of a trade union, on the date of the dispute, such union is competent to represent them. Now, question is whether those who are members of the Staff Union represent a substantial number. The expression 'substantial' does not necessarily indicate majority in number. Now, a total of 40 or 45 is not ephemeral but certainly substantial. I on the therefore, think that the espousal of the cause of the workmen by the Staff Union in any way disentitles the dispute from becoming an industrial dispute within the meaning of the Industrial Dsputes Act.

- 7. The next branch of the preliminary objection raised by Mr. Bala, was that the dispute, by nature, was such that it did not fall within Section 2(k) of the Industrial Disputes Act. In elaboration, he pointed out that the refusal of the management to treat a person as on duty, when actually absent in connection with trade union activities, did not amount to a dispute connected with the employment or non-employment or the terms of employment or the conditions of labour of any person. The argument is attractive but must be discarded on ultimate analysis. The workmen were claiming the privilege of being treated as an affect duty during person. The argument is attractive but must be discarded on ultimate analysis. The workmen were claiming the privilege of being treated as an office duty during the period of absence on trade union duty, on the basis of customary concession throughout enjoyed. There is no reason why this cannot per se be treated as a term of employment or as a condition of labour, although on evidence the claim may not be ultimately established. I therefore over-rule also this branch of the preliminary objection urged by Mr. Bala.
- 8. I need notice in this context, another aspect of this argument somewhat faintly argued by Mr. Bala. He contended that the man concerned in the dispute was a single man of the name of A. D. Singh, the General Secretary of the Staff Union Therefore, it was an individual dispute of a workman with the management. Section 2A of the Industrial Disputes Act would not elevate the individual dispute into an industrial dispute, because there was no question of discharge, dismission in the instant dispute. In his argument Mr. Bala is not right. Assuming volved in the instant dispute. In his argument Mr. Bala is not right. Assuming for the sake of argument that this was an individual dispute, that individual dispute was adopted by the Staff Union, representing a number of workmen, and dispute was adopted by the Staff Union, representing a number of workmen.

was glorified into an industrial dispute, I, therefore, do not uphold this branch of the argument of Mr. Bals as well.

9. Mr. Bala next argued that by no stretch of imagination the grant of privilege it being treated on office duty when actually engaged in trade union duties, can be created as a customary concession. In this contest, he invited my attention to a decision of the Labour Appellate Tribunal, Bombay, per Sri R. C. Mitter (President) and Sri F. Jeejeebhoy in Shrinagar Mills Co. Ltd., Ahmedabad vs. The Texidic Labour Association, Ahmedabad (1952-53) 4 Indian Factories Journal, 117, a which the learned Appellate Tribunal observed, "it is obvious that the term customary concession' does not mean a concession which has existed from time immemorial, but is intended in the context of industrial relations to convey the dea of an amenity or advantage which has been consistently enjoyed by the amployees for a sufficient duration to justify the view that it has become part of his emoluments. To construe it otherwise would lead to an absurdity". Mr. Bala contended that the privilege of being treated on office duty when actually insent on trade union duty could not be said to form part of a workman's emolument and therefore there could not be question of customary concession imported a respect of such privilege. I am not impressed by this argument of Mr. Bala. A case is an authority for what it decides. It may not always be safe to import the malogy of a decision much further field. In the context of the pronouncement by he Labour Appellate Tribunal had been made, the pronouncement may be unexceptional. In the instant case, however, the withdrawal of the privilege may have reflected on the wages of the concerned workman or workmen. Bank employees do not enjoy indefinite and unlimited period of leave. The quantum of eave, enjoyed by Bank employees, is indicated in Chapter IX (page 218 onwards) of the Devai Award. By being compelled to take leave whenever called upon to intend Conceiliation proceedings or proceedings before Industrial Tribunals, an employee, who is a trade union official, may exhaust all leave to his credit and ma

10. Having thus cleared the grounds of the preliminary objection, I now turn of the merits of the case. This case was argued by Mr. Bala with considerable noustry and he marshalled the case laws with ability. Mr. Bala argued that this fribunal was bound by the statement of law on the point by the Supreme Court of India and it was beyond the competency of this Tribunal to make an award in favour of the workmen in this reference. He relied in the first place on a decision of the Supreme Court (per Das Gupta, J.) in Rohtas Sugar Ltd. and others vs. Mazdoor Seva Saugh and others (1960) I LL.J. 567. In that case a labour Appellate Tribunal had confirmed an award of an industrial tribunal, inter alia, directing that the workmen attending proceedings before the Industrial Tribunal should be paid wages, travelling allowance and halting allowance and further directing that workmen attending in these proceedings should be considered as on special leave with pay for the period of such attendance. In hat extent the Supreme Court observed, at page 569:

"As regards these orders the appellants contend that they run counter to the pronouncements of this Court in Punjab National Bank Ltd. v. Ram Kanwar, Industrial Tribunal, Delhi (1957) I. L.L.J. 455. This contention, we are bound to say, is correct. Whatever might have been said in support of the view taken by the tribunals in ordering payment of these allowance and of granting special leave to workmen attending proceedings of necessity, if the question was res integra we are bound by the authority of Punjab National Bank case (supra) to hold that no such allowances are payable and no such order granting leave may be made. The order of the tribunals below allowing travelling allowance and halting allowance and special leave to workmen attending proceedings of necessity, must therefore be set aside".

It was contended by Mr. A. D. Singh, appearing for the Staff Union, that there was nothing in the decision of the Supreme Court in Punjab National Bank Limited v. Ram Kanwar, (1957) I LLJ 455, which bound and compelled the Supreme Court to reject the claim for special leave to workmen, when attending proceedings under the Industrial Disputes Act. Mr. Singh may be right in its criticism because the case of Punjab National Bank Ltd. (supra) was not concerned with grant of special leave to workmen attending proceedings under the industrial Disputes Act but with the interpretation of Section 11(7), dealing with payment of costs incidental to any proceedings before a Labour Court, Tribunal in National Tribunal. The summary of the decision of the Punjab National Bank Ltd. as in Rohtas Sugar Mills may not be strictly correct, but the Supreme

Court has stated the law in the language quoted above and it is not for inc to question that law.

- 11. The other authority, to which Mr. Bala invited my attention, was a decision of the Supreme Court in Indian Oxygen Ltd. vs. Their workmen (1969) 1 LdJ 255 (per Shelat, J). In that case, one of the demands of the workmen was:
  - "5. Union representatives should be allowed special leave to attend to law courts for matters connected with the workers and the management to attend to annual conventions of their federation, to attend to executive committee meetings of the union, federation and convention of central organisation, i.e., Indian National Trade Union Congress."

The Industrial Tribunal had made an award in favour of the workmen. The demand was challenged by the learned Counsel for the employers as unjustified. It was aruged that to impose an obligation upon grant of special leave to attend the meetings of the Executive Committee of the Union, the meetings of the Federation and the Conventions of the Indian National Trade Union Congress over and the above the various types of leave available to the company's workment was untamount to the company having practically to finance the administration and management of the union. It was further argued that such an obligation on the company would not be justified on the ground of social justice and promotion of trade unionism. The learned-Counsel for the trade union sought to repel the argument on the ground that in the interest of proper growth of trade union movement and the promotion of harmony in industrial relation, facilities should be given to the workmen to conduct the administration of the union. In repelling the argument of the learned Counsel for the trade union, the Supreme Court observed:

- "(a) We apprehend the argument does not take into consideration certain important aspects of the demand. As aforesaid, the appellant-company has been allowing those of its workmen who are the union's representatives to attend, without loss of pay, proceedings before conciliation officers and industrial tribunals. This is fair because conciliation proceedings are likely to get thwarted if the workmen's representatives are not there to discuss the disputes and put forward their point of view before conciliation officers and wherever possible to arrive at a settlement or compromise."
- (b) It is impossible to say that the leave granted by the company with full pay is not fair or even liberal. In conceding the demand of the union the tribunal does not appear to have considered the adverse effect on the company's production if further absenteeism were to be allowed specially when the crying need of the country's economy is more and more production and employers are exhorted to streamline their management to achieve this objective and to bring down their cost in line with international cost. In awarding this demand the tribunal also did not specify on how many occasions the executive committee meetings of the union and other meetings would be held when the company would be obliged to give special leave with pay to the union's representatives. Similarly, there is no knowing how many delegates the union would send to attend the conventions of the federation and the Indian National Trade Union Congress. The tribunal could not, in the very nature of things, specify or limit the number of such meetings, for such an attempt would amount to interference in the administration of the union and its autonomy. Its order must, of necessity, therefore, have to be indefinite with the result that the appellant-company would not know beforehand on how many occasions and to how many of its workmen it would be called upon to grant special leave. Further, in case there are more than one union in the company's establishment, the representatives of all such unions would also have to be given such leave to attend the aforesaid meetings.
- (c) In considering such a demand, the first question which strikes one is as to why the meetings of the executive committee of the mion cannot be held outside the hours of most

be possible always to do so, if an emergency arises. But emergenbe possible always to do so, if an emergency arises, but emergencies are not of regular occurrence and if there be one, the representatives can certainly sacrifice one of their earned leave. There can obviously be no difficulty in so doing. The meetings of the tederation and the annual conventions of the Indian National Trade Union Congress too can be attended by the union's delegates by availing themselves of their earned leave. Industrial adjudication, as observed in J. K. Cotton and Spinning and Weaving Mills v Badri Mali (1964) 3 S.C.R. 724 cannot and should not ignore the claim of social instice. It concent based on socio-economic equality, and which enjustice, a concept based on socio-economic equality, and which endeavours to resolve conflicting claims of employers and employees by finding not a one-sided but a fair and just solution. A demand for special leave has, however, nothing to do with any disparities or inequalities, social or economic. On the other hand too much inequalities, social or economic. On the other hand, too much absenteeism harms both the employers and the employees inasmuch as it saps industrial economy."

the view expressed, the Supreme Court rejected the entirety of demand No. 5 embefore quoted.

12. Mr. Singh no doubt laid special emphasis on quotation (a) from the judg-12. Mr. Singh no doubt laid special emphasis on quotation (a) from the judgnt of the Supreme Court and argued that the Supreme Court had in fact apwed of special leave when the workmen were called upon to attend proceedunder the Industrial Disputes Act, but did not intend to extend such privie or concession when the workmen were called upon to attend union meeton trade union Congress. I am bound to say that if quotation (a) above
on the Supreme Court judgment we read alone, one feels inclined to agree with
r. Singh's argument. But reading the judgment as a whole, I find that the
threty of demand 5 was rejected by the Supreme Court that is to say, the
spreme Court was not prepared to encourage grant of special leave enabling
orkmen to attend matters before law courts or Industrial tribunals.

- 13. I feel thus bound by the judgment of the Supreme Court although I feel personally that there is much to be hard in favour of the demand of the worknen, as argued by Mr. Singh.
- 14. Mr. Singh lastly contended that the Staff Union was being discriminated in that the office-bearers of the Employees Union were being allowed to attend recedings under the Industrial Disputes Act without being compelled to go on save but the same concession is not being given to the workmen represented by he Staff union. It is admitted in the written statement of the management that fire-bearers of the National and Grindlays Bank Employees Federation were remied travelling and halting allowance for attending conciliation proceedings. The witness for the workmen Radheshyam Tripathi stated in course of his namination in chief:
  - "Ajit Kumar Banerjee does not do any work during office hours. He spends his time in the trade union office. I do not know whether he does so with the knowledge of his superiors. I do not know what type of work the other officers of the Employees Union do in their office."

was not cross-examined on the point. There is no material before me to ow that the members of the Employees union are allowed to go out of office thout leave when attending proceedings under the Industrial Disputes Act. he real state of affairs may be that the management overlooks such absence ithout formally encouraging it. This will appear from the evidence of K. Rama rasad who said in answer to a question put by the Tribunal:

The clerks were members of the Employees' Union. The objection of the other members of the clerical staff not to allow A. D. Singh to go without leave may have been based on inter-union rivalry. The management as such had no objection to A. D. Singh going to attend conciliation proceedings and Tribunal proceedings often but the management objected because of the attitude taken up by the others members of the clerical staff."

the management may have been compelled to issue notice dated January 9 on objection of the clerical staff.

15. I am disinclined to encourage this argument for another reason. In the stant reference there is no true tion of equality of law of equal protection of being denied to the workman represented by the Staff under Likeva already

held on the decisions of the Supreme Court that the workmen have no right to be on special leave when attending their duties elsewhere, say for example, proceedings under the Industrial Disputes Act. If they have no right, I cannot enforce an imaginary right for them. It was not a customary concession also be cause there is no evidence that members of the Employees union were through out being granted such leave. I can only observe that if the management occasionally favours some members of the Employees union by grant of special leave and consistently refuses such leave to the members of the Staff union, there is bound to be industrial unrest and that would be a most undesirable conduct of the part of the management. Since I am not sure that favouritism is being practised. I do not make much of it.

16. In the view that I take, I hold that the action of the management of the National and Grindlays Bank Limited, Calcutta, in withdrawing with effect from the 9th of January 1970 the concession of treating the period of absence on duty in respect of those workmen, who, as office-bearers of the National and Grindlay Bank Staff Union, represented its case in proceedings under the Industrial Dispute Act was justified. The concession cannot be treated as customary concession. The workmen are not entitled to any relief.

This is my award.

Dated, March 16, 1971

(Sd.) B. N. BANERJEE, Presiding Office [No. 23/113/70-LRIII

S.O. 1526.—In pursuance of section 17 of the Industrial Disputes Act, 194 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal. Chandigarh in the industrial dispute between the employers in relation to the Punjab Cooperative Bank Limited and their workmen, which was received by the Central Government on the 24th March 1971.

BEFORE SHRI P. P. R. SAWHNY, B. A. (HONS), CANTAB, BAR-AT-LAW PRESI ING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, A CHANDIGARH.

## REFERENCE No. 5/c of 1966

#### BETWEEN

The employers in relation of the Punjab Cooperative Bank Ltd., and the workmen.

#### APPEARANCES:

Shri Tek Chand Sharma and Thakur Durga Dass-for the workmen. Shri Ved Pal Suri-for the management.

## AWARD

An industrial dispute having arisen between the workmen and the employe of the Punjab Cooperative Bank Ltd., the Central Government have referred to following item of dispute for adjudication to this Tribunal, vide Labour Ministry Order No. 51(48)/65-LRIV, dated the 23rd June, 1966;—

"Whether having regard to the directions contained in the Award of National Industrial Tribunal (Bank Disputes), Bombay, dated the July, 1962, published with the notification of the Government of Indian the Ministry of Labour & Employment No. S.O. 2603, dated the August, 1962 the management of the Punjab Cooperative Bank Lis justified in not paying bonus for the years 1956, 1957, 1959, Is and 1961 to their workmen? If not, to what quantum of bonus the workmen entitled for these five years?"

2. Usual notices were issued to the parties, who in response thereto appearand submitted their view points in writing.

3. The All India Bank Employees Association, which is the Central country organisation of various trade unions of bank employees in India, including the of Punjab Cooperative Bank Ltd. filed statement of claim is which they have the prior to 1962 there was no award applicable to Banking Industry on the basis of which bonus appropriations and disbursent could be made that the banks had been paying bonus to their employees in pective of the same for the last three decades.

that in the year 1949 the Government of India appointed the All India Industrial Tribunal (Bank Disputes), presided over by Mr. Justice K. C. Sen but the award of this Tribunal was set aside by the Supreme Court,

that in the year 1952 the Government appointed a second All India Industrial Tribunal (Banking Disputes) presided over by Mr. Justice Panchpagesa Sastry, that the Sastry Tribunal gave an award inter alia covering the question of bonus as also the question of eligibility and mode of payment and held that as regards the formula for bonus appropriations the Tribunal was barred from formulating the same in view of the provisions of Section 10 of the Banking Companies Act.

that the Labour Appellate Tribunal in appeal against this award held that Section 10 of the Banking Companies Act did not act as a bar for the Tribunal to adjudicate upon the disputes relating to bonus appropriations which were to be adjudicated severally and not collectively and merits of a particular Bank had to be gone into, that the general formula in respect of bonus which was as prescribed by the Labour Appellate Tribunal in Reference No. 1 of 1950 between the Mill Owners' Association, Bombay and the Textile Workers of Bombay had to be made applicable,

that the decision of the Labour Appellate Tribunal was challenged in appeal by the Banks before the Supreme Court, that when the matter was pending before the Supreme Court the Government of India in 1956 brought about a legislation amending Section 10(1) of the Banking Companies Act, thereby setting out that the disputes relating to bonus in Banking Industry could be adjudicated upon by Tribunals constituted under the Industrial Disputes Act, that subsequently the Supreme Court set aside the decision of the Labour Appellate Tribunal and held that the bar existed on adjudication of bonus disputes in Banking Industry as Section 10 of the Banking Companies Act stood prior to the aforesaid amendment, that in this way the dispute of bonus relating to the year ending 1955 stood barred as a result of the decision of the Supreme Court, that the bank employees continued to agitate on the question of bonus subsequent to the removal of the bar i.e. from the year 1956,

that the Government of India vide its Notification No. S.O. 2384, dated 22nd September, 1960, referred the following issues relating to bonus between the Banking companies and their workmen to the National Industrial Tribunal (Banks Disputes) Bombay, presided over by Mr. Justice K. T. Desai, and that the name of the Punjab Cooperative Bank Ltd. appeared in Schedule I to the aforesaid order of reference:

Bonus principles and conditions for eligibility and method of computation after making provisions for all matters for which provisions is necessary by or under any of the Acts applicable to the banks or which are usually provided for by the Bank",

that Mr. Justice Desai gave an award on 21st July, 1962, holding that

"In my view it would be wrong in principle not to make it compulsory for the banks to pay bonus when banks made large profits and there is a gap between the actual wages paid to the workmen and the living wage."

that this Tribunal thereafter proceeded to examine the full Bench formula laid down in Reference No. 1 of 1950, and after making modifications thereupon as from paragraph 92 onwards set out a formula for ascertainment of bonus appropriations to which the employees of banks would be entitled and also various directions in respect of eligibility and mode of payment.

that during these proceedings the Reserve Bank of India made a suggestion t establish a convention, which was in fact a modification of Section 17 of the Banking Companies Act regarding their demand seeking to establish that banks should set aside a minimum of 20 per cent of their profits towards reserve till such time as the reserve were equal to or not less than 6 per cent of the total deposits of the bank.

that this convention by legislation has become a statutory obligation on all the

that since the respondent bank had not declared any bonus for the year 1962, the employees through their All India Bank employees Association placed demand for adequate bonus with a minimum of two months for C class banks—the respondent bank being a "C" class bank according to the classification of banks as per award of National Industrial Tribunal (Bank "isputes). Reference No. 1 of

that since there was a dispute in relation to the quantum of bonus appropriations and disbursement with the workmen of the Industry, the Government of India have referred the same to this Tribunal,

that the non-payment of bonus is inconsistent with the award of the National Industrial Tribunal (Banking Disputes) Reference No. 3 of 1960, known as Desai Bonus award inasmuch as in paragraphs 92 to 95 of the said award directions had been given as to how the adjusted profits were to be arrived at and in paragraphs 96 to 109 directions are given in relation to the different items of prior charges in the bonus calculations.

that the principles set out in the Desai award are to be applied for payment of bonus to the workmen for the years 1956, 1957 and 1959 to 1961.

that in paragraphs 110 to 112 of the said award directions are given as to calculations of available surplus and also as to the share out of such available surplus to which the employees are entitled,

and that since the respondent bank had not paid any bonus for the years in question the amount of Rs. 241593 is to be paid as bonus to the employees as per the work sheets annexures 'A', 'B', 'C' and 'E' based on published balance sheets for the years 1956, 1957, 1959, 1960 and 1961, subject to correction of calculations after securing information and from inspection of the records of the respondent bank.

In the written statement the management raised preliminary objections viz.

(i) that the demand for bonus in respect of the years 1956, 1957, 1959, 1960 and 1961 was belated keeping in view that Section 209(4)(a) of the Companies Act, 1956 requires that the companies should maintain books and records for a period of 8 years, and the claim was barred by limitation,

that the Government had on 21st July, 1964 referred the bonus dispute only in respect of the year 1952 to the Industrial Tribunal, Chandigarh and had there been any dispute then pending validly in respect of the previous years, the same would have also been referred at that time, and it should as such be assumed that there was no dispute pending about the earlier years.

(iii) that the event of the National Industrial Tribunal (Bank Disputes) Bombay dated 21st July, 1962, has been fictionally applied the demand relating to the years 1956 to 1961 as the award was not given any retrospective effect by the Tribunal and

(iv) that in respect of the years 1956 and 1957 employees were paid bonus equal to 15 days basic wages for each of these two years ex-gratia and the same was accepted by the workmen without protest.

On merits it has inter alia been maintained by them that the principles governing the payment of bonus laid down by the full Bench Formula of the Labour Appellate Tribunal (1950-L.L.J.-1247) have been accepted in several cases by the Supreme Court,

that para 88 of the Desai award relating to bonus specifies that bonus should be paid by the banks when substantial profits were made,

that the position with regard to the respondent Bank was that it was a displaced bank as per Government of India notification dated 20th December, 1960, that the partition of the country had proved very harmful to the bank which had abandoned 5 branches in Pakistan and lost Rs. 25 lakhs, that the respondent bank had not made much profits as was borne out from the fact that moratoriam was effective from 18th May, 1961 and it continued upto 17th September, 1961 prohibiting the respondent bank from receiving or paying deposits and doing its normal business, that during these four months loans realized remained uninvested.

that for all these reasons the claim for bonus for these years should be rejected in view of special adverse circumstances created unjustifiably by the Reserve Bank of India.

that the Desai Bonus award specifies that if 20 per cent of the profits (after deduction of tax) are transferred to Reserve Bank of India, the same should be allowed as a prior charge,

that the Reserve Bank of India had directed this bank not to declare an dividend from the year 1959 and the entire profits were transferred to the Reserve Bank in respect of the years 1959, 1960 and 1961 onwards, and so also the respondent bank had transferred the requisite sums prior to those years to the reserve

occount, that out of such transfers to the Reserve 20 per cent of the profits was be allowed as a prior charge in accordance with the principles laid down in the pesal award and has been calculated in the work-sheets.

that as regards the dispute about bonus for 1962, it had already been adjudicated apon and payment had been made according to Payment of Bonus Ordinance issued by the President of India, that the financial position given by the employees in heir work-sheets. A B. C. D & E has incorrect and liable to be rejected that he position explained by the respondent (the Bank) in their worksheets should be relied upon, and that since there were no profits for the relevant years after applying the principles laid down in the Desai award, no profit was sharable by the workmen in any of the years which might justify payment of bonus, particularly so when the general financial position of the bank had been rated low by the RBI and they had issued directions not to declare dividends for the past 7 years and this ban was still continuing.

In the replication the workmen have generally controverted the stand taken by the respondent bank in their written statement and reiterated the pleas that had been taken by them in their statement of claim.

In regard to the objections relating to dispute of 1962 it has been maintained by the workman that that dispute was a distinct dispute, and was made for a particular year, whereas the dispute for the years 1956 to 1961 had been raised separately and, as such, the reference was valid and competent and was not helated.

Besides it was also maintained by them that it was incorrect to suggest that the present reference had not been made in accordance with provisions of law and the question of laying down fiction did not arise and the Government was competent to make the reference, which was not barred by any law of limitation and

that the bonus paid equal to 15 days' basic wages ex-gratia for the years 1966 and 1957 was not adequate and had not been paid according to the provisions of law.

On merits it was maintained by the workmen that the clarification given by the bank in regard to so-called loss was misleading if it were to be kept in view that the bank had written off the amount left in Pakistan and, subsequently, the amount was being adjusted back out of the earnings year by year.

In regard to Moratorium declared by the Government it was maintained that the Moratorium had been lifted on the representation of the respondent bank that its financial position was very sound and it was in a position to meet its obligations.

In regard to the Desai bonus award, it was maintained that para 97, specifies that banks can transfer 20 per cent of their declared profits (that is to say profits after making usual and necessary provisions) to their reserves till such time as their published reserves and paid-up capital reach the level of 6 per cent of their deposits and that the reserves of the respondent bank, as had been shown in the balance-sheets and the paid up capital (for the relevant years), are more than 6 per cent of total deposits and, as such, the respondent bank was not entitled to claim 20 per cent of the profits as a prior charge in accordance with the Desai Bonus award. It was further added that the respondent bank had been pressing the Reserve Bank of India for paying dividends to the shareholders on the ground that their financial position was very sound.

It was further more maintained that the respondent bank had made a misstatement in regard to payment of bonus for the year 1962 inasmuch as the award of the Industrial Tribunal. Punjab. Chandigarh for payment of house @ one month's basic salary was implemented but the respondent bank made un-authorised feductions from bonus for the year 1964, and the dispute in regard to unlawful feductions was pending with the Industrial Tribunal. Delhi.

It was also maintained that the worksheets submitted by the respondent bank were not in accordance with the provisions of law and should not be relied upon.

Objections were also taken to the manner in which profits were worked out and in particular reference was made to the award dated 18th August. 1965, given by Mr. Justice K. L. Gosain, the then Presiding Officer of the Industrial Tribunal duallowing payment of bonus for national Income tax as prior charge, which award had been accepted by the respondent bank and directions therein were linding on the parties.

Similarly with regard to provisions of gratuity it was maintained that only the amount of expenditure incurred can be allowed and since the respondent bank had not disclosed actual amount of gratuity paid for the years 1956, 1957, 1959, 1960 and 1961, the Industrial Tribunal, Punjab, in its award dated 16th August, 1965 had disallowed the claim of the bank in respect of provision of gratuity as a prior charge and, that being so the respondent bank canot be allowed to provide this item as a prior charge.

Likewise it was pointed out that the bank had already taken the amount of other reserves for the purposes of calculating 4 per cent return on those reserves, which they can only claim as per the amount shown in the balance-sheets, provided it was proved that those reserves were actually used as working capital during the relevant years for the entire year.

It was further maintainel that the bank had not proved from any documents that refund of Income tax by them in 1956 does not relate to the years under dispute and, as such, the bank's claim be disallowed in this behalf.

It was also pointed out that extraneous income from agricultural land and sale of property could not be deducted from profits as had been held by the Industrial Tribunal, Punjab in its award, dated 27th August, 1965.

For all these reasons, it was maintained by them that their calculation charts should be relied upon, and since the financial position of the respondent bank was very sound, which had been pressing the Reserve Bank of India to lift the conditions imposed on them about payment of dividendh to the shareholders, the Tribunal should award 75 per cent of the available surplus as bonus for each year.

On the pleadings of the parties the following issues were framed:-

- (1) Whether the management paid to the workmen bonus for the years 1956 and 1957?
- (2) If issue No. 1 is found in favour of the management, whether the workmen can now demand bonus for those two years?
- (3) Whether the reference in regard to the bonus for the year 1962, which has since been decided, is a bar to the claim of the workmen for the bonus for the previous years?
- (4) Whether the demand of the workmen is belated and what is its effect?
- (5) Whether having regard to the directions contained in the award of the National Industrial Tribunal (Bank Disputes), Bembay, dated the 21st July, 1962, published with the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2603, dated 7th August, 1962 the management of the Punjab Co-operative Bank Limited, is justified in not paying bonus for the years 1956, 1957, 1959, 1960 and 1961 to the workmen? If not what quantum of bonus are the workmen entitled for these five years?

Before dealing with each of the issues, it would be appropriate to mention that the workmen claim that prior to 1962 there was no bonus award applicable to the Banking industry whereby any formula may have been available on the basis of which bonus appropriation and disbursements were to be made built it is, not denied by the workmen that banks had been paying bonus to their employees all the same for more than three decades.

The Sen Tribunal provided bonus appripriations but this award was set aside by the Supreme Court of India, according to the workmen, on technical ground and the Sastry award covered the bonus question without indicating a specific formula, in which proceedings the respondent bank was a party along with the other banks and in appeal the Labour Appellate Tribunal Bambay, Appea No. 22006 of 1953, delt with the bonus question and inter alia held that the bonus was not an ex-gratia payment, but was a claim to addition wage which nature only if the concern had a prosperous trading year. This position continued the Section 10(1) of the Bank Companies Act with amended by the Government of India in 1955 and dispute regarding bonus in the Banking Industry till the year ending 1955 stood barred because the Supreme Court of India had held the section 10(1) of the Banking Companies Act as it stood prior to the amendment in 1955, acted as a bar.

The workmen further allege that since 1956 they continued to make efforts in the resolution of the dispute regarding bonus, and the Government of India. Vio Notification No. 2384, dated 22 f September, 1960 referred the under mentions.

ue in which the respondent bank was a party, to the National Industrial Tribunal ank Disputes), Bombay, presided over by Mr. Justice K. T. Desai:—

"Bonus-Principles and conditions under which payable, qualification for eligibility and method of computation, after making provision for all matters for which provision is necessary by or under any of the Acts applicable to the Banks or which are usually provided for by Banks."

d Mr. Justice Desai gave an award on 21st July, 1962, laying down principles, ethod of computation etc. for ascertainment of payment and appropriation of nus, and gave directions regarding prior charges and further held:—

"In my view it would be wrong in principle not to make it compulsory for Banks to pay bonus when banks make large profits and there is a gap between the actual wages paid to workmen and the living wage."

The workmen also maintain that thereafter the bank employees throughout country raised demands for bonus for 1956 onwards.

They have, however, not alleged in their statement of cloim as to when they ade the demands for bonus for the years 1956, 1957, 1959, 1960 and 1961 on the anagement or when the management turned them down, and all that they have need in this behalf in the statement of cloim is that the dispute about quantum bonus for the said years existed and was referred by the Government of India Notification, dated 23rd June, 1966 to this Tribunal as under:—

"Whether having regard to the direction contained in the award of the National Industrial Tribunal (Bank Disputes) Bombay, dated the 21st July. 1962, published with the notification of the Government of India, in the Ministry of Labour and Employment. No. S.O. 2603, dated the 7th August, 1962 the management of the Puniab Cooperative Bank Limited is justified in not paying bonus for the years 1956, 1957, 1959, 1966 and 1961 to their workmen? If not, to what quantum of bonus are the workmen entitled for these five years?"

in this connection it may be mentioned that after this award had been counced, the Board of Directors of the respondent bank at a meeting held on the May, 1957, granted to their workmen bonus @ 15 days' average basic wage 1956, but the workmen maintain that from the perusal of Exts. R/5 and R/6, was to be observed that bonus was granted at this rate after taking into considering para 350 of the Sastry award, relating to payment of bonus to the staff.

The workmen have also maintained in their statement of claim that respondent as could have made payment of more bonus for the years 1956 and 1957 than in had been paid to them and have indicated how the available surplus should calculated and how the bonus out of the available surplus should be determined accordance with the directions contained in the Desai award of 1962.

As has been stated earlier, the respondent bank raised the following preliminary

- (i) That the demand for bonus for the years 1956, 1957, 1959, 1960 and 1961 was belated and should be rejected without going into merits.
- (ii) That prior to the present reference the Government of India had referred the dispute about bonus for the year 1962 to Industrial Tribunal, Chandigerh, by Notification No. 51(42)/64-I-RIV, dated 21st July, 1964, which shows that there was no dispute for those years and the dispute now raised is an after-thought which is obviously a stale demand and an abuse of process in law.
- (iii) That the Desai Award, dated 21st July, 1962 could not be given a retrospective effect and cannot be made applicable to the demand for years prior.
- (b) That in respect of years 1956 and 1957 each employee was paid bonus equal to 15 days basic wages for each of these two yars as Ex-Gratic bonus, that workmen accepted the same and did not raise any further demand for those years, and therefore, the demand for 1956 and 1957, should be rejected on this additional ground also.

on merits the management have also contested it liability for payment of bonus the relevant years, and have pleaded that they had been suffering losses, which exicent from the fact that the Government of India had passed an order of training on this bank, effective from 18th May, 1961 which continued uplo a September, 1961, ag a result of which the respondent bank was deharred in masseting normal business of receiving payments and paying deposits, and

this had adversely effected their business and they had to pay wages to the state for the said period, and that they were a displeaced bank, and the partition of the country was very harmful, inasmuch as its five branches in Pakistan had been abandened and a sum of Rs. 25 lacs had been lost there.

Besides the respondent bank have raised various other pleas in regard to the made of calculation of available surplus etc.

Issues Nos. 1, 2 and 4.

These 3 issues need to be dealt with together as they are inter conected.

It is common ground between the parties that the respondent Bank had paid to the workmen 15 days' average basic pay as ex-gratia bonus for the years 195 and 1957, which is also proved from copy of the agenda of the meeting of the Board of Directors, Ext. R/5, and copy of resolution, Ext. R/6, and this has also been admitted in para 5 of the rejoinder. Besides it is proved from the statement of Sarvashri Ved Pal, General Manager, R.W., and Dina Nath, R.W. Issue No. is disposed of accordingly.

At the risk of repetition it may be stated that in the statement of claim the workmen have not specifically stated when they made a demand for bonus for the years 1956, 1957, 1959, 1960 and 1961, or when, if at all, this demand was turned down by the respondent bank and all that they have stated in this behalf is the a dispute about quantum of bonus about these years existed and was referred this Tribunal on 23rd June, 1966 by the Government of India.

It is as such to be determined whether there was any justification for the workmen for bonus for the year 1958 and it has not been satisfactorily explain appears to be belated. It would not be out of place to mention that when the workman had a reference made in regard to their claim for bonus for the year 1962, which was referred for adjudication to Mr. Justice K. L. Gosain, woh withen the Presiding Officer of the Industrial Tribunal, Punjab, no claim for bonus made for the earlier years and got referred to adjudication.

It may also be mentioned that no claim or reference has been got made by workmen for bonus for the year 1958 and it has not been satisfactorily explain why so inasmuch as no ostensible explanation is forthcoming in this regard. It workmen have tried to explain this delay by taking up the position that it was no formula for computation of available surplus prior to the award of National Tribunal, presided over by Shri K. T. Desai, dated 21st July, 1962, that section 10 of the Banking Companies Act, as it stood prior to its amendm in 1956 had been held by the Supreme Court of India as a bar on the adjudical of bonus disputes. They, have however, all the same admitted that the banks been paying bonus for the last three decades or more as is to be found in paras 2 to 9 of the statement of claim. No explanation worth the name can said to have been offered which might have prevented the workmen from put forward claim for the years in dispute for bonus soon after the close of the years, and before the accounts were finantised. As a matter of fact they did for the years 1956 and 1957 inasmuch as their Secretary, Shri Piare Lal a written a letter. Ext. A/7, dated 20th February, 1957 claiming two months was bonus for the year 1956 and also the Delhi staff in their letter Ext. A/9, dated 25th February, 1957, had also claimed bonus coust three months' wages for the year 1956 and vide letter Ext. A 18, they claim bonus at a reasonable rate for the year 1956. It may be also stated that was keeping in view these letters by way of demand for payment of bonus for the year 1956, the Board of Directors passed a resolution, dated 26th May, 1957, Ext. 1956, the Board of Directors passed a resolution, dated 26th May, 1957, Ext. 1956, the Board of Directors passed a resolution, dated 26th May, 1957, Ext. 1956, the Board of Directors passed a resolution, dated 26th May, 1957, in which they impressed that the workmen write in this connection to the respondent management is Ext. A/15, dated 4th June, 1957, in which they impressed that t

From all this it is more than evident that the workmen had accepted 15 pay as bonus for the year 1956, without raising any further demand and claim for bonus for the year 1956 was deemed to have been finally settled the accounts of that year closed.

Again for the year 1957, in their letter, Ext. A/8, dated 15th January, 1968, he workmen had demanded bonus equal to the months' wages, which was considered by the Board of Directors of the respondent Bank in their meeting held on 21st August, 1958, and resolution was passed that 15 days' average basic wages, for the year 1957 be granted to each of the workmen ex-gratia and this was accepted by the workmen without any protest, inasmuch as the only letter placed on record by the workmen in this connection is Ext. A/16, dated 3rd June, 1959, in which the wrokmen have only objected to the words "ex-gratia" and requested that these words be substituted by the word "bonus", and nothing else, and there was no further demand for that year. In that view of the matter their claim for the year 1957 was also to deemed to have been fully settled and the accounts closed.

As for the year 1958 since both the parties are agreed that there is no claim for the year 1958 for bonus, no reference has been got made, it does not require any discussion or consideration.

As regards the year 1959 no demand for bonus was made in 1960, 1961 or 1962, and the accounts for the years 1958 and 1959 had been finally closed and made up.

The demand for bonus for the year 1960 @ two months' wages was made vide letter, dated 9th February, 1961. Ext. A/6 in which there is no mention, as stated above, of the demand of the workmen for additional bonus for the years 1956 and 1957 or bonus for the years 1958 and 1959, inasmach as in that reference their claim for bonus @ two months' wages relates only to the year 1960 which also goes to show that upto that time the workmen did not entertain an idea of daiming additional bonus for the years 1956 and 1957 or any bonus for 1958 or 1959 i.e. till 9th February, 1961.

It is pertinent to mention that it was on 7th of August, 1963 that the General Secretary of the union wrote letter. Ext. A/19, to the Managing Director of the respondent Bank the relevant extract of it being:—

"We have to draw your kind attention to our demand for bonus for the years 1956 to 1961 @ two months' salary for each year, which may please be paid to us-

Thanking you, ...."

The receipt of this letter is not admitted by the management and no postal meight has been placed on record by the workmen in order to show that it had been received by the management. Besides it does not have a mention as to when the demand for 1958, 1959, 1960 or 1961 had been made and it has not been stressed to the General Manager of the Bank as had been done in the past, and it also pre-supposes that a demand had been made at the proper time and was still pending, which from the material placed on record does not appear to be so. It may be stated that taking advantage of the Desai award, dated 21st they 1962, a vague demand which according to the respondent bank had been utsided and accepted was raised at this date stage. The fact of the matter is that the workmen accepted ex-gratia bonus paid to them by the respondent management and in this regard the respondent bank are supported by the workmen when bonus was distributed and he has not been cross-examined to this behalf, and by letters, Exts, A/15 and A/16 which go to show that the workmen accepted the payment in full and final satisfaction of their demand. But their only objection was that it should not be treated as ex-gratia, but as hours.

Assuming letter, A/19, dated 7th August 1963, to be a demand for additional logs for the years 1956 and 1957 and a demand for bonus for the years 1958 b 1961, the position that emerges is as follows:—

- (i) That the demand for additional bonus for the years 1936 and 1957 are more than 63 years after the close of accounts of 1936 and more than 53 years after the colse of the year 1957.
- (ii) that the demand for bonus for 1959 was made 3 years and seven months after the close of the year, and
- (iii) that the demand for bonus for 1960 was more than 3 years and seven months after the close of that year and the demand for bonus for 1961 was made more than one year and seven months after the close of that year.

It has as such to be determined whether these demands are belated and should not be entertained on this solitary ground. Needless to mention that payment of profit bonus pre-supposes the existence of an available surplus in the hands of the employer during a specified year from which alone the workmen are entitled to be paid bonus and it is thus of utmost importance that profit bonus should be claimed soon after the close of the year and before the available surplus is distributed, as by allowing belated claims for bonus the settled accounts would be distributed and the economy of the concern would be adversely effected.

In Kashi iron Foundry and others, reported as 196 Lordships of the Appellate Tribunal observed as under:-1962-L.L.J.-I-199 their

"The employees claim bonus for the years 1947-48 and 1949-50. The Conciliation Board has turned down the claim for bonus for the years 1947-48 and 1948-49, and has allowed bonus only for the year 1949-50... the case of the employees is that the Conciliation Board has erred in not awarding bonus for the two previous years. In our opinion the reason given by the learned conciliation board for disallowing bonus for the two previous years is quite sound. It is well known principle that the bonus is allowed from the profits of the year for which it is claimed and it not be possible to open the accounts of the previous years. It appears that the claim for bonus was put up for the first time in October or November, 1950 and there was no justification for this delay. The employees plead that as there was no union they had no opportunity to raise a demands but this would not cutified them to raise a belated demands."

In this case claim for bonus for the years 1947-48 and 1948 was made in October or November, 1950 and was disallowed.

In Caltex India Ltd., reported as 1952—L.L.J.—II—183, the workmen had been granted one month's basic wages as bonus for the years 1946 to 1959, and they claimed additional bonus @ 6 months' wages for those years but their claim was rejected as being belated.

In the case Burman Shell Oil Co. reported as 1954—L.L.J.—1—21, the claim for bonus for the years 1947, 1948 and 1949 was made for the first time on 21st September, 1951 and their Lordships observed that:—

"as the accounts in question had been settled and closed bonus for all these years could not be granted."

Similarly in the case, Karim Bidi Factory, Ahmedabad, reported in 1966—L.L.J.— I—530, the demand for bonus was rejected as being belated having been made two and three months after the closing of those years.

Again in the case, Tribhuvan Dass Bhimii Zavari Vs. workmen, reported as 1956—L.L.J.—I—370, the demand for bonus for the year 1951-52 made 18 months after the close of the year was held belated and disallowed.

In another case, reported as 1957—A.I.R.—Madras—223 Mysore City Hotel Association Vs. Labour Appellate ribunal a claim for bonus made 17 months after the close of the year was held to be belated and not allowed.

From all these citations it is more than clear that latches and delay has been discourged and held fatal and in one case when claim was made after 17 months of the close of the year it was negatived.

So far as claim for bonus for 1961 is concerned it may be stated that it was made for the first time on 7th August 1963 vide Ext. A/19 though the management, as stated above, do not admit receipt of this letter and the workmen have also not proved its receipt by the management. However even if it were to be taken to have been received by the management, this letter was written 21 months after the close of the year and this delay has not been explained by the workmen.

As regards claim for the year 1960, a demand was made vide letter, Ext. A/6, on 0th February 1961, but since this demand was not pursued and no reference was got made when reference in respect of the year 1962 was got made on 21st July 1964 without any mention of the previous years and this also goes to show that the workmen did not press it, especially so keeping in view that no particular reason has been given by the workmen for reference not having been got made for the years 1960 and 1961 along with the reference for the year 1962.

The claim for because the state of the year 1962.

The claim for bonus for the year 1960 is also as such very much belated and is and 1957 or for bonus for the years 1956

This apart the present reference has been made on 23rd June, 1966, relating the years 1956 to 1961, i.e., four and a half years after the close of the year 961 and more than 9½ years after the close of the year 1956 and this was for the eason that the workmen approached the Regional Labour Commissioner for making this reference by a letter, R/3, as the late as on 18th May 1965, after the dispute or bonus for 1962 had been adjudicated upon by Mr. K. L. Gasain.

In A.I.R. 1959 Supreme Court 1217, Shalimar Works Ltd.. Vs. Workmen, it has seen held that the workmen must move for a reference within a reasonable period reference must be refused where there has been long delay for rayment of

It has further to be considered whether as per Desai award, retrospective effect in be given. A perusal of its relevant paras shows that it is not the intention the Tribunal to give retrospective effect. Besides as has been stated earlier in the Supreme Court has also looked upon with disfavour the opening up claim be belated.

It has been maintained by the workmen that their demand for additional bonus or the years 1956 and 1957, and bonus for the years 1958 to 1961 was a continuous ne as was evident from letters Exts. A.7. A.8, A.9. A.13. A.16, A.19, A.20, A.21 and A.24 and in particular from letter A.26, dated 9th February 1961, demanding assonable and suitable bnous and deletion of the words "Ex-gratia" and letter, M. A.19, dated 7th August 1963, demanding bonus 'two months' wages.

They have also sought support for this plea from the fact that reference in read to payment of bonus had been made by the Ceut-al Government on 22nd plember 1960, in which the respondent bank was also a party and the award as given by Mr. Justice Desai in 1962, and they claim that the fact of the matter is that there was one set of demands for payment of bonus which was in the sure of a general demand of Banking Industry employees from 1956 to 1961, at fir that reason a demand for payment of bonus for 1962 had been raised garately, and not for the years 1956, 1957, 1959, 1960 and 1961.

This contention of the workmen can hardly prevail as from perusal of the aforeilletters it appears that the main objection that had been taken by the workwas to use of the words ex-gratia and they had desired substitution of the
pls "ex-gratia" by the word "bonus". In any case the letters, Exts. A/19 and
were written nearly 6/7 years later and the earliest objection taken in their
ter. Ext. A/15, dated 4th June 1957 was to the use of the words "ex-gratia",
if they had also stated that they had accepted payment of bonus @ 15 days'
rage basic as a compromise which clearly substantiates the plea of the responthe bank that the workmen had accepted the bonus @ 15 days' average basic pay
thout any protest or denur. out any protest or denur.

It may also be mentioned that in so far as the Desai award is concerned, the sate that was referred to this Tribunal only related to laying down principles syment of bonus and it did not have anything to do with the demand of the sate of the sate

is view of the citations referred to above, the claim of the workmen for additions for the years 1956 and 1957 and for the years 1959, 1960 and 1961 is busy belated, and issue 2 and 4 are decided against the workmen.

a regard to reference for the year 1962, in respect of bonus acting as a bar in has already been decided by Mr. Justice K. L. Gosain, it may be stated strictly speaking it may not be a bar for payment of bonus for the previous it, however, all the same goes to show that the claim for bonus for the string years was not raised or pressed, and this conduct of the workmen is sently indicative of the fact that they had given up their claim for the years sently indicative of the fact that they had given up their claim for the years sently indicative of the reference for bonus for the year 1962 was only pressed by an in that way their claim for bonus for previous years is not maintainable scalarly so when accounts of these years have been paid up and finally set long since and it is held accordingly.

Mo. (5)

hview of the findings given above, in respect of the first four issues it is hardly that the part of the findings whether the respondent bank is or is not justified by paying bonus for the years 1956, 1957, 1959, 1960 and 1961 having religible directions contained in the award of the National Industrial Tribunal bis Disputes). Bombay, dated 21st July, 1962. In this gonnection it may be mentioned that bonus is paid to working out of profits for each

year, if there is availability of surplus, and act as a whole, and it cannot be carried forward from year to year, as per para 74 of the Desai award, and the accounts of each year are deemed to be closed for all intents and purposes at the end of each year.

In respect of the other important issue raised in this connection viz., whether national Income Tax is to be a prior charge, even though tax was not rayable on account of earlier losses.

Whether provision of gratuity on national basis, should be allowed and be added back, as per findings given in this behalf by Mr. Justice K. L. Gosain in his award, dated 16th March 1965, ad in para 92 of the Desai award.

and whether rehabilitation charges should be allowed as assets or whether they are extraneous income, and whether the respondent bank was entitled to charge 4 per cent return on other reserves, findings need not be given as that would have been only be necessary if the earlier four issues had been found in favour of the workmen.

In passing it may be mentioned that the financial position of a concern has necessarily to be kept in view while allowing a claim for bonus. The workmen have claimed that the respondent bank had made profits during the relevant years and were in a position to pay bonus at the rate claimed by them and the management have maintained that as was to be observed from the balance-sheets and profit and loss accounts they had suffered losses, and there was no justification for the workmen to claim bonus and also that an order of moratorium had been issued in respect of the respondent bank and it remained in force for 31 months, which had adversely affected the business of the bank to a great extent,

that their financial position became unsound as a result of loss of Rs. 25,00,000/- suffered by them on account of partition of the country when they had to abandon five branches in Pakistan, and that they were not paying any dividend to their shareholders as per statement of Shri Piare Lal, Secretary of the union.

and on the other hand the workmen claimed that the bank had requested the Government for raising the moratorium order by representing that their financial position had become sound and they had asked the Reseve Bank of India to pay 7 per cent dividend to their share-holders. This aspect of the matter need not however be gone into assistance Nos. 1 to 4 have already been decided against the workmen.

Award is given accordingly.

The parties are, however, left to bear their own costs,

(Sd.) P. P. R. SAWHNEY.

Presiding Officer. Industrial Tribunal, Punjab. [No. 51(48)/65-LRIV(LRIII).]

## ORDER

## New Delhi, the 11th February 1971

S.O. 1527.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Goenka Kajora Colliery, Post Office Ukhra District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

"Whether the management of Goenka Kaiora Colilery of Messrs Goenka Coal Company, Post Office Ukhra, District Burdwan was justified in stopping from work Shri Nageawar Prasad, Coal Cutting Machine Driver from the 4th July, 1969, to the 6th July, 1969, and the 16th July, 1969. If not to what relief the workman is entitled."

[No. L/1912/3/71-LRIL]

U. MAHABALA RAO, Dy. Secy.

# श्रम, रोजगार ग्रीर पूनर्वास मंत्रालय (श्रम तथा रोजगार विभाग)

## ग्रादेश

## नई दिल्ली, 11 फरवरी, 1971

कार गार 1527.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में गोयनका कजोरा कोलियरी, डाकघर उखरा, जिला वर्दवान के प्रबन्धतन्त्र से सम्बद्ध नियोजकों ग्रीर उनके कर्मकारों के बीच एक ग्रीद्योगिक विवाद विद्यमान है;

ग्रौर यतः केन्द्रीय सरकार उक्त विवाद को न्यावनिर्णयन के लिए निर्देशित करना वांछनीय समझती हैं;

अतः अव, श्रौद्योगिक विवाद श्रिष्ठिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतदृद्वारा उक्त विवाद को उक्त श्रिष्ठिनियम की धारा 7-क के श्रधीन गठित केन्द्रीय सरकार श्रौद्योगिक श्रिष्ठिकरण कलकत्ता को स्यायनिणयन के लिए निर्देशित करती हैं।

## धनुसुची

"क्या मैससं गोयनका कोल कम्पनी, डाकघर उखरा, जिला बर्दवान, की गोयनका कजीरा कोलियरी के प्रबन्धतन्त्र का श्री नगेशवर प्रसाद, काल करिंग मशीन ड्राइवर की 4 जलाई, 1969 से 6 जलाई, 1969 तक और 16 जलाई, 1969 की काम से रोकना न्यायोजित था? यदि नहीं, तो कमंकार किस अनुतोष का हकदार है?"

[सं० एल० 1912/3/71-एल० घार०2]

M/s. Arjun Textiles, Ghazipur Road, Maunath Bhanjan, Azamgarh.

यु॰ महाबला राव, उप मन्ति ।

#### (Department of Labour and Employment)

New Delhi, the 27th March 1971

S.O. 1528.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the Notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S. O. 2657 dated the 26th June, 1969, the Central Government having regard to the location of the factories specified in column (4) of the Schedule hereto annexed in areas, specified in column (3) of the said Schedule in the State of Uttar Pradesh in which the provisions of Chapters IV and V of the Act are in forces, hereby exempts the said factories from the payment of employer's special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the date of expiry of the period specified in the said notification or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

## SCHEDULE

Sl. No.	Name of District	Name of area	Name of the factory .
1	2	3	
1.	Azamgarh	Azamgarh	1. M/s. Shri Mahabir Finishing Factor

1	2	3		
2	Balia	. Balia		M/s. Saraswati Iron and Steel Industries, Baleshwar Ghat Road, Balia.
3	Bulundshar	. Khurja		M/s. L. G. Products, Junction Road, Khurja.
4	Faizabad	. Masodha		M/s. Vishnu Industrial Enterprises Ltd., Motinagar, Railway Station, Maso- dha.
		Akbarpur Faizabad		M/s. Gandhi Ashram. M/s. Central Workshop, (Tubewell Division).
5	Mathura	. Vrindaban		Vrindaban Porcelain and Enemal Industries Udyognagar.
6	Muzaffarnagar	. Shamli	100	M/s. Swastika Metal Rolling Mills, Delhi Road.
7	Meerut	. Partapur		M/s. Electra, B-4, Industrial Estate
8	Nainital	Lohia Head (Via. Pilibhit)		M/s. Sarda Vidut Grih, Lohia Head,
9	Saharanpur	. Ram Nagar		M/s. Green Land Food (P) Ltd., Dehra- dun Road.
10	Varanasi	. Mughalsarai		M/s. Indian Oil Corporation Ltd., Ali Nagar, G. T. Road.

[No. F. 602(14)/70-HI]

## (अन ग्रीर रोजगार विभाग)

नई दिल्ली, 27मार्च, 1971

का० ग्रा० 1528.—कर्मचारी राज्य बीमा श्रिश्तियम, 1948 (1948 का 34) की धारा 73च द्वारा प्रदत्त शक्तियों काप्रयोग करते हुए तथा भारत सरकार के श्रम, रोजगार और पुनर्वाय मंत्रालय (श्रम और रोजगार विभाग) की श्रिष्ठमूचना संख्या का० आ० 2657 तारीख 26 जून, 1969 के अनुक्रम में केन्द्रीय सरकार इससे उपाबद अनुसूची के स्तम (3) में विनिर्दिष्ट उत्तर प्रदेश राज्य के ऐसे क्षेत्रों में जिन में श्रिष्ठानियम के श्रष्ट्याय 4 और 5 के उपबन्ध प्रवृत्त हैं, उक्त अनुसूची के स्तम्भ (4) में विनिर्दिष्ट कारखानों की अवस्थित को ध्यान में रखते हुए, उक्त कारखानों को उक्त श्रिष्ठान्यम के श्रध्याय 5क के श्रधीन उद्ग्रहणीय नियोजक के विशेष श्रभदाय के संदाय में, उक्त श्रिष्ठमूचना में विनिर्दिष्ट श्रवधि की समाप्ति की तारीख से एक और वर्ष की श्रवधि के लिए अथवा तब तक के लिए जब तक कि उक्त श्रिष्ठान्यम के श्रध्याय 5 के उपबन्ध उन क्षेत्रों में प्रवृत्त नहीं हो जाते, दोनों में से जो भी पूर्वतर हो, एतद्द्वारा छुट देती है।

		NY Mari	
कम संख्या	जिले का नाम	क्षेत्र का नाम	कारखाने का नाम
(1)	(2)	(3)	(4)
,'	याजमगढ	प्राजमगढ	<ol> <li>मेसमं श्री महावीर फिलि शिंग फैक्क्ट्री, सहादतपुर मक नाय भंजन, श्राजमगढ़।</li> <li>मेसमं श्रजुंन टैक्सटाइल्स, गाजीपुर रोड, मकनाय भंजन, श्राजमगढ़।</li> </ol>

(1)	(2)	(3)	(4)
2	बलिया	विलया	मैससं सरस्वती श्रायरन एंड इंण्डस्ट्रीज, बलब्बर घाट रोड, बलिया।
3	बुलन्दशहर	खुर्जा	मेससं एल० जी०, प्रोडक्ट्स) जंकशन रोड, खुर्जा।
4	<b>फैजाबाद</b>	मसौढा	मेससं विष्णु इंडस्ट्रीयल एन्टर प्राइजज लिमिटेड, मोतीनगर, रेल स्टेशन, मसोढा ।
		श्रकवरपुर फैजाबाद	मेसर्स गांधी ब्राश्रम । मेसर्स केन्द्रीय कर्मशाला (नलकूप प्रभाग) ।
5	मथ्रा	बृन्दावन	बृत्दावन पोसंतेन एण्ड इनेमाल इंडस्ट्रीज, उद्योगनगर
6	मुजवकरनगर	शामली	मैससं स्वास्तक मेटल रोलिंग मिल्स, दिल्ली रोड।
7	मेरठ	परतापुर	मैससं इलेक्ट्रा, बी-4, इडस्ट्रीयल, एस्टेट ।
8	<b>नैनीताल</b>	लोहिया हैड (पीलीभीत होकर)	मैसर्स शारदा विद्युत् गृह लोहिया है
9	सहारनपुर	रामनगर	मैससं ग्रीन लैंड झूंड (प्रा०) लिमिटेड, देहरादून रोड।
10	वाराणसी	मुगलसराय	मैससं भारतीय तेल निगम लि० सली नगर, जी ० टी० रोड।

# [सं० फा० 602(14)/70-एव० बाई]

8.0. 1529.—In exercise of the powers conferred by section 87 of the Employees' and Insurance Act, 1948 (34 of 1948), and in continuation of the notification of a Government of India in the Ministry of Labour and Employment and Rehallitation (Department of Labour and Employment) No. S.O. 3838, dated the 26th labour, 1970, the Central Government hereby exempts the Hindustan Shippard India, Visakhapatnam from the provisions of the said Act except chapter VA therefor a further period of six months with effect from the 1st October, 1970 upto inclusive c the 31st March, 1971.

[No. F. 6(30)/69-N1.]

कार बार 1529.—कर्मवारी राज्य बीमा मधिनियम, 1948 (1948 का 34) की <sup>शत</sup> 87 द्वारा प्रदत्त क्षवितयों का प्रयोग करते हुए और भारत सरकार के अम, रोजगार और <sup>विभि</sup> मंत्रालय (अम धौर रोजगार विभाग) की मधिमूचना सरकार बार 3838 तारीख <sup>28 प्रभावर</sup>, 1970 के कम में केन्द्रीय सरकार हिन्दुस्तान निषयाई निमिटेट, विज्ञास्त्राप हुणम <sup>पेठ्रेस</sup> प्रधिनियम के उपबन्धों से उसके सध्याय 5-क के उपबन्धों के सिवाय, छह मास की और अवधि के लिए प्रथम अन्त्वर, 1970 से 31 मार्च, 1971 तक, जिसमें वह दिन भी सम्मिलित है, एतद्द्वारा छट देती है।

[सं का 6 (30)/69-एच आई।]

S.O. 1536.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 705, dated the 13th February, 1970 the Central Government having regard to the location of the Central Dairy, Government Milk Supply Scheme, Poona in an area in which the provisions of Chapter IV and V of the said Act, are in force, hereby exempts the said Dairy from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the 8th December, 1970, upto and inclusive of the 7th December, 1971.

[No. F. 601(67)/70-HI.]

का० ग्रा० 1530 .- कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73 च द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं का व आ 0 705, तारीख 13 फरवरी 1970 के कम में केन्द्रीय सरकार केन्द्रीय डेरी, सरकारी दुग्ध प्रदाय स्कीम पूना की ऐसे क्षेत्र में, जिसमें उक्त अधिनियम के अध्याय व और 5 के उपवन्ध प्रवृत्त हैं अवस्थिति को ध्यान में, रखते हुए उक्त डेरी को उक्त अधिनियम के अध्याय 5-क के अधीन उद्भ्रहणीय नियोजक के विशेष अभिदाय के संदाय से 8 दिसम्बर, 1970 से 7 दिसम्बर, 1971 तक जिसमें वह दिन भी सम्मिलित है एक और वर्ष की कालावधि के लिए एतददारा छट देती है।

सिं का 601 (67) /7 -एच ब बाई |

S.O. 1531.—Whereas the Central Government is satisfied that employees of the Posts and Telegraphs Motor Service Workshop, Bombay, belonging to the Government of India in the Department of Communications, Posts and Telegraphs Board, are otherwise in receipt of benefits substantially similar to the benefits provided under the Employees' State Insurance Act, 1948 (34 of 1948).

Now, therefore, in exercise of the powers conferred by section 90 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation, (Department of Lebour and Employment) No. S.O. 371, dated the 22nd January, 1970 the Central Government after consultation with the Employees' State Insurance Corporation, hereby exempts the above mentioned factory from all the provisions of the said Act for a further period of one year with effect from the 13th January, 1971 upto and inclusive of the 14th January, 1972 the 14th January, 1972.

[No. 601/70/70/HL]

का० आ० 1531 -- यतः केन्द्रीय सरकार का समाधान हो गया है कि भारत सरकार के संचार डाक ग्रीर तार बोर्ड की डाक ग्रीर तार मोटर सेवा कमें शाला बम्बई के कमेंचारी किसी न किसी किसी प्रकार से कमेंचारी राज्य बीम अधिनियम, 1948 (1948 का 34) के अधीन उपविधित प्रसुविधायों की सारतः समस्य प्रसुविधाएं प्राप्त करते हैं।

• यतः यव उक्त प्रधिनियम की धारा 90 द्वारा प्रदत्त मक्तियों का प्रयोग करते हुए धार भारत सुकार के श्रम रोजगार ग्रीर पुनर्वास मंत्रालय (श्रम भ्रीर रोजगार विभाग) की अधिसूचना संव का । नि । 371, तारीख 22 जनवरी, 1970 के कम में केन्द्रीय सरकार, कमें बारी राज्य बीमा निगम से परामर्थं करने के पत्रवात् एतद्द्वारा ऊपर-वर्णित कारखाने, को 15 जनवरी, 1971 से 14 जनवरी, 1972 तक जिसमें वह दिन सिम्मिलित है एक वर्ष की और खबधि के लिए उक्त अधिनियम के सभी उपबन्धों से छट देती है।

[सं 601 (70) / 70 - एव । आई ।]

S.O. 1532.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 368, dated the 22nd January, 1970 the Central Government having regard to the location of the Government Branch Press, Gulbarga in an area in which the provisions of Chapters IV and V of the said Act are in force, hereby exempts the said press from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the 26th December. 1970 upto and inclusive of the 25th December, 1971.

[No. 601(72)/70-HI.]

का० ग्रा॰ 1532 - कर्मचारी राज्य बीमा ग्राधिनियम 1948 (1948 का 34) की ग्रारा 73च द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, रोजगार और पुनर्वास मंतालय (श्रम और रोजगार विभाग) की अधिमुचना संख्या का० आ० 368, तारीख 22 जनवरी, 1970 के कम में केन्द्रीय सरकार सरकारी शाखा मुद्रणालय, गलवंग की ऐसे क्षेत्र में,जिसमें उक्त ग्रधि-नियम के अध्याय 4 और 5 के उपवन्ध प्रवृत्त हैं, अवस्थिति को ध्यान में रखते हुए उक्त मुद्रणालय को उक्त प्रधिनियम के प्रध्याय 5-क के प्रधीन उद्ग्रहणीय नियोजक के विशेष प्रभिदाय के संदाय से 26 दिसम्बर, 1970 से 25 दिसम्बर, 1971 तक जिसमें वह दिन भी सम्मिलित है, एक और वर्ष की कालावधि के लिए एतदद्वारा छट देती है।

[सं फा॰ 601(72)/70-एच॰ आई॰]

S.O. 1533.—in exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government having regard to the location of the Map Printing Factory, Survey Map Publication Office, Cuttack in an area in which the provisions of Chapters IV and V of the said Act are in force, hereby exempts the said factory from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a period of one year with effect from the 30th November, 1970, upto and inclusive of the 29th November, 1971.

[No. F. 602(50)/70-HI-]

का॰ आ॰ 1533 --- कर्मनारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73च द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भानचित्र मुद्रण कारखाना, सर्वेक्षण मानचित्र प्रकाशन कार्यालय, कटक की ऐसे क्षेत्र, में जिसमें उक्त अधिनियम के अध्याय 4 और 5 के उपबन्ध प्रवृत्त हैं, अवस्थिति को ध्यान में रखते हुए उक्त कारखाने की उक्त अधिनियम के अध्याय 5-क के अधीन उद्प्रहणीय नियोजक के विशेष प्रभिदाय के संदाय से 30 नवम्बर, 1970 से 29 नवम्बर, 1971 तक जिसमें वह दिन भी सम्मिलित है, एक वर्ष की धवधि के लिए एतद्द्वारा छट देती है।

[Ho BIO 602(50)/70-UTO WIEO]

- S.O. 1534.—In exercise of the powers conferred by section 88 of the Employees State Insurance Act, 1948 (34 of 1948), and in superassion of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), No. S.O. 2.796, dated the 7th August, 1970, the Central Government, being the appropriate Government, hereby exempts the 'regular establishment pesonnel' of the Government of India Extension Centre (Ministry of Industrial Development and Company Affa 23), 151, Patel Road, Combatore for a period of one year from the 7th August, 1970 from the operation of the said Act, on the following condition, namely:—
  - that the aforesaid Extension Centre where the Employees are employed shall maintain a register showing the names and designations of the exempted employees;
  - 2. that notwithstanding this exemption, the employees shall continue to receive such benefits under the said act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates.

[No. F. 6/82/69-HI.]

का० गा० 1534--कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 88द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के अम, रोजगार और पुनर्वास मंत्रालय (अम और रोजगार विभाग) की अधिसूचना सं० का० आ० 2796 तारीख 7 अगस्त्, 1970 1970 को अधिकांत करते हुए, केन्द्रीय सरकार समुचित सरकार होने के नाते भारत सरकार विस्तारण केन्द्र (औद्योगिक विकास और कम्पनी कार्य मंत्रालय) 151 पटेल रोड़, कोयम्बटूर के नियमित स्थापन कार्मिकों को उक्त अधिनियम के प्रवर्तन से 7 अगस्त 1970 से एक वर्ष की अविध के लिए एतद्द्वारा निम्नलिखित शर्तों पर छूट देती है।

- 1 उपर्युक्त विस्तारण केन्द्र जहां कर्मचारी नियोजित है एक रजिस्टार रखेगा जिसमें छूट प्राप्त कर्मचारियों के नाम और पदनाम दिशत किए जाएगे।
- 2 इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसे प्रसुविधाएं पाते रहेंगे जिन्हों वे उक्त तारीख से पूर्व संदत्त अभिदायों के आधार पर पाने के हकदार हो गए होते जिससे इस अधिनुवना द्वारा मंजूर की गई छूट प्रवृत्त होती है।

[सं० फा० 6/82/69-एच० प्राई०]

S.O. 1535.—Whereas the Central Government is satisfied that the employees of the Government Telegraph Stores, Bombay, belonging to the Government of India, in the Department of Communications, Posts and Telegraphs Board are otherwise in receipt of benefits substantially similar to the benefits provided under the Employees' State Insurance Act, 1948, (34 of 1948).

Now, therefore, in exercise of the powers conferred by section 90 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation, (Department of Labour and Employment) No. S.O. 366, dated the 22nd January. 1970 the Central Government after consultation with the Employees' State Insurance Corporation, hereby exempts the above mentioned factory from all the provisions of the said Act for a further period of one year with effect from the 15th January, 1971 upto and inclusive of the 14th January, 1972.

[No. F.601/70/70/HL]

का॰ आ॰ 1535—यतः केन्द्रीय सरकार का समाधान हो गया है कि भांति के संचार, डाक ग्रीर तार बोर्ड के सरकारी तार स्टोर, बम्बई के कमेंचारी किसी न किसी प्रकार से कमेंचारी राज्य बामा अधिनियम, 1948 (1948 क34) के अधीन उपबधित फायदों के सारतः समस्य फायदे प्राप्त करते हैं।

श्रतः अब, उक्त अधिनियम, की धारा 90 द्वारा प्रदत्त शक्तियां का प्रयोग करते हुए श्रीर भारत सरकार के अम, रोजगार और पुनर्वास मंजालय (अम और रोजगार विभाग) की अधिसूचन स० का० नि० 366, तारीख 22 जनवरी, 1970 के अम में केन्द्रीय सरकार, कर्मचारी राज्य बीमा निगम से परामर्थ करने के पश्चात् एतद्द्वारा उपरि—विणत कारखाने क 15 जनवरी, 1971 से 14 जनवरी, 1972 तक जिसमें वह दिन भी सम्मिलत है एक वर्ष की और अवधि के लिए उक्त अधिनियम के सभी उपबन्धों से छूट देती है।

[सं० फा॰ 601 (70)/70-एच॰ माई॰]

S.O. 1536.—In pursuance of clause (e) of sub-paragraph (1) of paragraph of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints Shri R. N. Sharma as a member of the Regional Committee for the State of Bihar and makes the following further amendment in the notification of the Government of India in the late Ministry of Labour No. S.R.O. 1380, dated the 4th July, 1953, namely:—

In the said notification, for the entry in the second column against serial number (10), the following entry shall be substituted, namely:—

"Shri R. N. Sharma, Vice President, Colliery Mazdoor Sangh, Polytechnik Road, Dhanbad"

[No. 12(7)64-PF]II

का० मा० 1536 .-- कर्मचारी भविष्य निधि स्कीम 1952 के पैरा 4 के उपपैरा (1) के खण्ड (इ) के अनुसरण में केन्द्रीय सरकार श्री श्रार० एन० शर्मा को विहार राज्य की क्षेत्रीय समिति के गरस्य के रूप में में एतद्द्वारा नियुक्त करती है श्रीर भारत सरकार के भतपूर्व श्रम मंत्रालय की श्रिधसुचना मं का विन आ । 1380, तारीख 4 जलाई, 1953 में और आगे निम्नलिखित संशोधन करती है, अर्थात :---

उक्त ग्रधिसूचना में स्तम्भ 2 में कम संख्या (10) के सामने की प्रविध्टि के स्थान पर निम्न-लिखित प्रविष्टि प्रतिस्थापित की जाएगी, प्रथात :--

> "श्री भार० एन० गर्मा, उपाध्यक्ष. कोलियरी मजदूर संघ, पालीटेकनिक रोड, धनबाद।"

> > [Ho 12(7)/64-470 750-2]

S.O 1537.—In exercise of the powers conferred by section 73F of the Employee's State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2658, dated the 26th June, 1969, the Central Government having regard to the location of the factories specified in column 4 of the Schedule hereto annexed in areas specified in column (3) of the said Schedule in the State of Kerala in which the provisions of (hapters IV and V of the Act are in force, hereby exempts the said factories from the payment of employer's special contribution leviable under Chapter VA of the said Act for a further period of one at with effect from the 26th June, 1970 upto and inclusive of the 25th June, 1971.

o.	Name of District	Name of area	Name of the factory
1	2	3	4
1	Ernakulam	Edappally North Thiruvankulam	Metal Box and Company of India Ltd.  Messrs High Temperature Refractories
1	Trichur	. Choondal .	and Clay Works, St. Joseph's Tile Works,
3	Trivandrum	Pangappara	Metropolitan Instruments Limited.

[No. F602(25)/70-Ht]

का॰ मा॰ 1537 -- कमेंबारी राज्य बीमा संधिनियम, 1948 (1948 का 34) की घारा जिहारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, रोजगार सौर पुनर्वास वित्य (श्रम ग्रीर रोजगार विभाग) की बधिसूचना सं० का० था० 2658, तारीख 26 जन: 1969 मिन्स में केन्द्रीय सरकार इससे उपाबद्ध धनुसूची के स्तंत्र (3) में विनिद्धिट, केरल रौद्ध लि क्षेत्रों में के जिनमें अधिनियम के अध्याय 4 और 5 के उपबन्ध प्रवृत्त हैं, उन कारखानों की <sup>गेउस</sup> गनुमूची के स्तम्भ (4) में विनिविष्ट हैं खबस्थित को ध्यान में रखते हुए उक्त कारखानों 26 जून, 1970 से 25 जून, 1971 तक की जिसमें यह तारीख भी सम्मिलित है, एक वर्ष की वितित प्रविध के लिए उक्त प्रधिनियम के भध्याय 5क के सधीन उद्ग्रहणीय नियोजक के विशेष विवाय के मंदाय से एतद्वारा छूट देती है।

		स		

कम सं ०	जिले का नाम	क्षेत्र का नाम	कारखाने का नाम
(1)	(2)	(3)	(4)
1	एनांकुलम	उत्तर र्डापल्ली विस्वांकुलम	मेटल बास्स एण्ड कम्पनी प्राफ इंडिया लिमिटेड मेसर्स हाई टेम्परेचर रिफेक्ट्रीज एण्ड क्ले वर्कस
2	विचुर	चुन्दल	सेन्ट जोसफ्स टाइल व सं ।
3	त्रिवेन्द्रम	वगापरा	मेटरोपोलिटन इन्द्र्मेन्ट लिमिटेड।

S.O. 1538.—In exercise of the powers conferred by section 38 of the Employees State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts regular employees of the Central Stores and Supply Division, Delhi belonging to the National Seeds Corporation Limited, New Delhi, from the operation of the said Act except Chapter VA thereof, for the period with effect from 1st July, 1969 upto and inclusive of the 30th June, 1971.

2. The above exemption is subject to the following conditions, namely:-

(1) that the aforesaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees;

(2) that notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of contributions paid prior to the data from which the exemption granted by this notification operates;

(3) that the contributions for the exempted period, if already paid, wi not be refunded.

[No. F.602(42)/70-HI

का॰ ग्रां॰ 1538.— कमंबारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की रारा 88 द्वारा प्रदत्त अक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार राष्ट्रीय बीज नियम लिमिटेड, (ई दिल्ली के केन्द्रीय भण्डार और आपूर्ति डिविजन, दिल्ली के नियमित कमंबारियों को 1 जुलाई, 1969 से 30 जून, 1971 तक की, जिसमें यह तारीख भी सम्मिलित है, अविध के लिए उक्त अधिनियम के, अध्याय 5क को छोड़ कर, प्रवर्तन से एतद्दारा छूट देती हैं।

- 2. उपर्युक्त छूट निम्नलिखित शतौं के अधीन दी जाएगी, धर्यात् :---
- (1) पूर्वोक्त कारखाना जिसमें कर्मचारः नियुक्त किये जाते हैं, एक रजिस्टर रखेगी जिसमें उन कर्मचारियों के नाम और पदनाम दिशत किए जाएंगे जिनको छूट प्राप्त हैं;
- (2) इस छूट के होते हुए भी कर्मचारी उक्त प्रधिनियम के प्रधीन ऐसी प्रसुविधाएँ पाते रहेंगे जिन्हें प्राप्त करने के वे उन प्रभिदायों के प्राधार पर हकदार हैं जाते जो उस तारीख से पूर्व संदत्त किए गए थे जिन तारीख से इस अधिनियम द्वारा मंजूर की गई छूट प्रवृत्त होती हैं;
  - (3) उस अवधि के अभिदाय, जिसके लिए छूट दी गई है, यदि पहले ही संदत्त करें दिए हैं तो, अपम नहीं किए आएंगे।

(सं का 602 (42) /70-एन आहें)

S. O. 1539.—In exercise of the powers conferred by section 73F of the Employee's State Insurance Act, 1948 (34 of 1948), the Central Government having regard to the location of the actories specified in column (4) of the Schedule hereto annexed in areas specific in column (3) of the said Schedule in the State of Kerala in which the provisions of Chapters IV and V of the Act are in force, hereby exempts the said factories from the payment of employer's special contribution leviable under Chapter VA of the said Act for a period of one year from the date of publication of this notification in the Official Gazette or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

#### SCHEDULE

SI. No.	Name of District	ame of District Name of Area		Name of the Factory		
I	2	3				
1 2 3	Cannanore Ernakulam Kottayam Kozhikode	Balla Poonithura Perumbaicad Changanacherry Azhiyur Malappuram	N N N	dessrs. Kallathra Wood Industries Messrs. Sree Murugan Industries Messrs. St. Thomas Timber Depot. Messrs. Victory Match Factory. Messrs. FACT Regional Mixing Centre. Messrs. 66 K. V. Sub-Station, K. S. E. Board.		

[No. 602(25)/70-HI]

## णहार्यकृति विश्व**प्रमृत्यो** विश्वप्रकृतिहास

कम जिले संस्था	का नाम	क्षेत्र का नाम	कारखाने का नाम
1):	(2)	(3)	(4)==
1 कन्हानोर		वास्ता	मेसर्स कल्लायस वृष्ट इण्डस्ट्रीज
2 एर्नाकुलम		पूनीय रा	मेससं श्री महरान इण्डस्ट्रीज ।
3 कोड्याम		पेसम्बेकाव	मेससं सेन्ट योगस टिम्बर, डिपो ।
		चंगना वेरी	मेससं विवड़ी मैच फैक्ट्री
4 कोजीकोडे		एकोष्	मेसर्ग फैक्ट रीजनस मिक्सिने सेन्टर ।
		मालापुरम	नेसर्स 66 कें बो॰ सब-स्टेशन कें एस० ई० बोडें।

सिंक काव 602 (25)/ 70- एवं काई.

S.O. 1546.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour. Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1342, dated the 3rd April, 1970 the Central Government having regard to the location of the factory, namely Depots at Tondiarpet, Adyar, Tyanavaram, Tiruchirapalli and Coimbatore belonging to Madras State Transport Department, in an area in which the provisions of Chapters IV and V of the said Act are in force, hereby exempts the said factory from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the 24th March, 1971 upto and inclusive of the 23rd March, 1972.

[No. F.601(4)70-H11

DALJIT SINGH, Under Secv.

करं अ वा 1540 .-- कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73च द्वा । प्रदत्त शक्तियों का प्रयोग करने हुए और भारत सरकार के श्रम, रोजगार और पूनर्वास मंत्रालय (श्रम ग्रीर रोजगार विभाग) की ग्रधिमुचना सं० का० ग्रा० 1342 तारीख 3 ग्रप्रेल, 1970 के कम में केन्द्रीय सरकार मद्रास राज्य परिवहन विभाग के तोंडियारपेट, ग्रह्यर, ग्रयनवरम तिरुचिरापल्ली और कोय बटोर में डिपो नामक कारखाने की ऐसे क्षेत्र में, जिसमें उनत अधिनियम के अध्याय 4 भीर 5 के उपवन्ध प्रवृत्त हैं, अवस्थिति को ध्यान में रखते हुए उक्त कारखाने की - उक्त अधिनियम के अध्याय 5-क के अधीन उदग्रहणीय नियोजक के विशेष अभिदाय के संदाय से 254 मार्च, 1971 से 23 मार्च, 1972 तक जिस में वह दिन भी सम्मिलित है, एक ग्रीर वर्ष की कालावधि के लिए एतद्द्वारा छट देती है।

ं सं कार 601 (4) /70-- एवर बाईर में

दलजीत सिंह ग्रार सवित्।

## (Department of Labour and Employment)

New Delhi, the 27th March 1971

S.O. 1541.—In pursuance of section 17 of the Industrial Disputes Act. 1947 (1 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the Punjab National Bank and their workmen which was received by the Central Government on the 22nd March, 1971.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELH

Shri R. K. Baweja, Central Government Industrial Tribunal, Delhi.

4th March, 1971/13th Phalguna 1892 (S)

C.G.I.D. No. 1 or 1971

BETWEEN

The employers in relation to the Punjab National Bank.

Their workmen.

Shri H. C. Jain-for the management. Shri C. L. Bhardwaj for the workman.

## AWARD

The Central Government, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), was pleased to refer the following industrial dispute for adjudication to this Tribunal existing between

e employers in relation to the Punjab National Bank and their workmen vide der No. 23/74/70-LRIII, dated 10th December, 1970:—

"Whether the action of the management of the Punjab National Bank, New Delhi in reverting Shri H. L. Chopra from the post of Teller to that of a clerk with effect from the 20th July, 1969 was justified? If not, to what relief is Shri Chopra entitled?"

2. When the case came up today for hearing before me, Shri C. L. Bhardwaj, thorised representative of the workman, made a statement that as the workman concerned had been promoted as special assistant, a no dispute award be seed. Shri H. C. Jain who appeared on behalf of the management had no jection to the passing of a no dispute award. A no dispute award is, therefore, seed accordingly.

(Sd.) R. K. BAWEJA,

March, 1971.

Central Government Industrial Tribunal, Delhi.

[No. 23/74/70/LRIII.]

s.0, 1542.—In pursuance of section 17 of the Industrial Disputes Act. 1947 of 1947), the Central Government hereby publishes the following award of Central Government Industrial Tribunal, No. 2, Bombay in the industrial pute between the employers in relation to the Canara Banking Corporation mited and their workmen, which was received by the Central Government on 22nd March, 1971.

FORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY.

REFERENCE No. CGIT-2/7 OF 1970

Employees in relation to the Canara Banking Corporation Limited

AND

Their workmen

UNT

Shri N. K. Vani, Presiding Officer.

EIRANCES.

For the Employers, Shri B. N. Srikrishna, Advxocate, Shri R. Krishna Murthy Iyer, Labour Law Officer.

For the Workman.—Shri M. P. Menon and Shri M. Ramachandran, Advocates.

say: Banking

STATE: Kerala

Bombay, dated the 27th February, 1971

## AWARD

order No. 23/17/70/LRIII dated 11th May, 1970, the Government of the Ministry of Labour, Employment and Rehabilitation, (Department dour and Employment) in exercise of the powers conferred by clause (d) bection (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), and to this Tribunal for adjudication an industrial dispute existing between applyers in relation to the Canara Banking Corporation Limited and their fam in respect of the matters specified in the Schedule mentioned below:—

## SCHEDULE

Whether the management of Canara Banking Corporation Limited.

Mangalore is justified in not extending the following benefits to
Shri K. K. Kumaran, Night Watchman in its Trichur Branch? If
not, to what relief is he entitled and from what date?

Weekly Holiday.

Eight National/Festival Holiday in a calendar year.

Overtime allowance.

Free supply of uniform and shoes, and

Washing allowance."

- 2. The facts giving rise to this reference are as follows:-
- 3. The Canara Banking Corporation Limited (hereinafter referred to as 'the Bank') has got a branch at Trichur. In this branch there were two officers and eight workmen.
- 4 Shri K. K. Ramakrishnan is a peon working in Trichur branch of the Bank
- 5. The employees working in this branch of the Bank formed a Union in November, 1967 appointing Shri Ramakrishnan as Branch Secretary. The name of this Union is Canara Banking Corporation Employees Union Branch Unit (hereinafter referrd to as 'the Union'). The head office of the union is at Bombay.
- 6. Shri K. K. Kumaran was a Night Watchman in the Bank. On 14th May, 1969 some workman from the Bank made a complaint to the Branch Secretary Shri Ramakrishnan that Shri Kumaran was not getting the benefits to which a watchman is entitled (vide complaint Ex. 6/W). On the receipt of this complaint, the union made a complaint to the Bank on 6th August, 1969 (vide copy Ex. 8/W) regarding the benefits not being given to Shri Kumaran. In spite of this complaint the Bank did not take any steps to redress the gravances of Shri Kumaran. The Union, therefore, wrote a letter to the Regional Labour Commissioner (C), Ernakulam on 16th October, 1969 (vide Copy Ex. 9/W). It also sent a clarification statement to the Regional Labour Commissioner (C) Ernakulam on 1st November, 1969 (vide copy Ex. 10/W).
- 7. It appears that the Assistant Labour Commissioner (C) Erankulam tried to bring about conciliation between the Bank and the employees, but in vain He therefore, submitted his failure of conciliation report to the Government of 14th February 1970 (vide copy Ex. 11/W).
- On the receipt of the failure of conciliation report by the Government the present reference was made to this Tribunal for adjudication.
- 9. On receipt of this reference notices were sent to the parties to file the written statements. In pursuance of the notice, parties have filed their written statements and rejoinders.
- 10. Shri K. K. Ramakrishnan, Branch Secretary of the Union representing the workman has filed written statement on 16th June, 1970, at Ex. 1/W, received in this Tribunal on 19th June, 1970, rejoinder Ex. 4/W dated 30th November 1970 and additional rejoinder Ex. 22/W dated 18th February, 1971.
  - 11. According to him:-
    - (i) Shri K. K. Kumaran was appointed as Night Watchman in 1958. H
      'M' number is 226. His designation shown in the acquittance ro
      is 'Night Watchman'. He was regularly signing the attendant
      register. His pay has been fixed in terms of Bank Awards/Biparti
      settlements at applicable to watchman. His increments and allow ances are allowed on the basis of Awards and Settlements. It was getting Bonus and Provident Fund like the other employed. He was signing the attendance register every day, from 1st Apr. 1958 to 15th April, 1970.
    - (ii) Shri Kumaran was a watchman, but he was not given the benefits me tioned in the reference. There is no justification whatsoever denying the benefits to him. He should be given these benefits we retrospective effect. These benefits are being given in other brance. of the Bank.
    - (iii) Claim for weekly holidays is recognised by the Shops Act application the Kerala State as well as by the Bipartite settlement.
  - (iv) As other employees are given National/Festival holidays Shri Kuma was entitled for such holidays under the Bipartite settlement also under the Shops Act.
  - (v) Working hours of Shri Kumaran were from 6 p.m. to 7 a.m. Ev day he was on duty for 13 hours. He is therefore, entitled to 0 time payment for the extra 5 hours put in every day.
  - (vi) As per provisions of Shastri and Desai Awards and Bipartite to ment he is entitled to uniform and shoes. He is also entitled washing allowance. In fact he was given washing allowance February, 1982. It is only thereafter the same was denied to

- (vi) The Bank's contention that Shri Kumaran did not belong to the Watch and Ward staff and he was merely a care taker sleeping on the premises of the Bank during the night time is not correct.
- (vii) The dispute was sponsored by the workmen of the employer. Shri Kumaran's claim was supported by other workmen in the establishment and it was only after such support that the Union sponsored his case. At the time of reference a substantial section of the workmen in the establishment had supported Shri Kumaran's case.
  - (viii) Shri Kumaran was not employed as a area care-taker. He was not employed for sleeping, but he was employed as Night Watchman with fixed hours of working. Shri Kumaran is a Watchman within the meaning of Awards and Bipartite Settlements. He is therefore entitled for free supply of uniforms and shoes, washing allowances and all other benefits.
- (ix) The claims made on behalf of Shri Kumaran are neither belated nor stale. The Industrial Disputes Act does not provide for any limitation and it is settled law that where the statute provides for no limitation, courts cannot read into its provisions any principle of limitation. Even assuming that there is delay, the matter is one of discretion for the Tribunal. The claim relates to a single employees and would involve no risk to industrial peace or unsettling effect on the employer's financial arrangement, even if allowed. The employer cannot be heard to contend that each and every employee should rush to the industrial court for enforcing his claims without exhausting other remedies. The facts and circumstances of the case would also show that there were no deliberate latches on the part of the workmen.
- (x) The Branch Secretary is a party to the reference and is competent to sign the claim statement. It is settled law that even a group of workmen can validly raise a dispute without the intervention of a Trade Union. If the employees of the Trichur Branch had choosen to form themselves into a group and to sponsor and proceed with the dispute by authorising the Branch Secretary to act for them, there is nothing illegal in permitting him to do so.

## II. The Bank has filed written statement as Ex. 2/E.

## 12 According to the Bank:-

- (i) The Union, which has raised the present dispute is not a trade union of employees connected with the workmen of the Canara Banking Corporation Ltd. The said Union has no locus standi in law to raise a dispute on behalf of Shri K. K. Kumaran, who is a workman of the employer Bank. The dispute of Shri Kumaran is merely an industrial dispute and does not amount to an industrial dispute as defined in Section 2(k) of the Industrial Disputes Act, 1947. This reference is, therefore, bad in law, incompetent and void ad initio.
- (ii) Shri K. K. Kumaran joined the service in the Bank on 1st April, 1958. He has chosen to demand the benefits only in the year 1969. July i.e., after a lapse of eleven years. It is a well accepted principle of industrial adjudication that over-state claims should not be encouraged or allowed. Apart from the obvious risk to industrial peace from the entertainment of claims after a long lapse of time, it is necessary also to take into account the unsettling effect that would have on Bank's financial arrangements. In view of this, Shri Kumaran's demand after such an inordinate delay (after eleven years) is both unreasonable and unjustified and therefore his demand be rejected on the grounds of delay and latches.
- (iii) The claims statement dated 16th June, 1970 in the instant case is signed by the Branch Secretary of the Union, which is opposed to law and it is not within his powers to do so. Hence the claim states ment is liable to be rejected.
- (iv) Shri K. K. Kumaran was appointed as a care taker of the Trichur Branch Office with effect from 3rd April, 1958. Although he has been wrongly described as a night watchman his duties were not that of a watchman at all. His duties were to take care of the Bank premises during the night by sleeping on the rremises of the Bank. He was given the custody of one of the keys of the main door

of the Bank premises and he used to come and sleep on the mises after the bank hours and after the office staff of the had left the office. In the morning Shri Kumaran used to had left the office. In the morning Shri Kumaran used to have premises even earlier than the opening time of the Bank. Kumaran was not required to hand over charge to any other was man or officer of the bank as would normally be expected onight watchman on duty. He was wrongly described as matchman watchman.

- (v) It is literally true that Shri Kumaran has signed the Attendance r ter every day from 1st April 1953 as can be seen from the Atdance Register. He has signed in the Attendance Muster ever non-existing days, Sundays and holidays also.
- (vi) It is true that Shri Kumaran is being paid the same wages as paid to the other watchman of the Bank. But this does not in way make Shri Kumaran a Watchman within the meaning of Bank Award and the Bipartite settlements which have fixed wages and other conditions of service of watchman. Shri Kum was raid a special allowance of Rs. 3/- per month and was allowance of Re. 1/- per month. Shri Kumaran has also been Bonus and Provident Fund.
- (vii) As Shri Kumaran is not employed as Watchman he is not entitle any of the benefits and amenities as are allowed to the Watch under Bank Awards and the Bipartite Settlements. The Bank however, for some time voluntarily paid washing allowance to Kumaran
  - (viii) Shri Kumaran is not entitled to weekly holidays and festival hol as are given to the employees of the Bank.
- (ix) There was no fixed time at which Shri Kumaran was to report duty. It is not true that Shri Kumaran used to attend duty 6.00 p.m to 7.00 a.m. and that he used to be on duty for 13 every day. It is not correct that Shri Kumaran has put in hours overtime everyday and that he is entitled to overtime ment on that account.
- (x) Shri Kumaran is not entitled to the benefits of uniforms and as given by the Bank Awards and Bipartite Settlements as in not a member of the Watch and Ward staff.
- (xi) It is true that even during the conciliation stage the Bank had tended that Shri Kumaran did not belong to the Watch and staff and he was merely a care taker who was sleeping on the mises of the Bank during night times and as such he was no titled to any of the benefits to which the members of the Watch Ward staff of the Bank are entitled. The contention of the that Shri Kumaran is a member of the subordinate staff or there could not be any special terms and conditions of service cable to him outside the purview of the Awards and Settleme completely misconceived and untenable.
- 13. Points for consideration are as follows:-
  - (i) Whether the reference is tenable?
  - (ii) Is Shri Kumaran entitled to the benefits of:-
    - (a) Weekly holiday,
    - (b) Night National/Festival Holidays in a calendar year
    - (c) Overtime allowance,
    - (d) Free supply of uniforms and shoes; and
    - (e) Washing allowance?
  - (iii) If yes, from what date?
  - (iv) To what relief is Shri Kumaran entitled?
  - (v) What Order?
- 14. My findings are as follows:-
  - (i) Yes.
  - (ii) Yes.

- (iii) (a) Shri Kumaran is entitled for weekly holidays and Eight National Festival Holidays in a calendar.
  - (b) year from the date of his joining the service of the Bank as Night Watchman.
  - (c) Shri Kumaran is entitled to overtime allowance for overtime work done by him from the date of his joining service.
- (d) Shri Kumaran is entitled to free supply of shoes from the year 1969,
- (e) Shri Kumaran is entitled to washing allowance and uniforms from 1st March, 1962,
- (iv) Shri Kumaran is entitled to get the benefits to which he is entitled computed in terms of money by filing application under Section 33C(2) of the Industrial Disputes Act, 1947.
- (v) As per order.

### Reasons

Point No. (1):

15. The learned Advocate for the Bank contends that the present dispute is an industrial dispute between the Bank and Shri Kumaran and that it is not an industrial dispute within the meaning of Section 2(k) of the Industrial Disputes Act, 1947 and that on account of this the present reference is bad in a law incompetent and void ab initio. In support of this contention he relies on Section 2(k) of the Industrial Disputes Act, 1947 and some rulings of High Courts and Supreme Court, viz.,

- (i) 1960,I,LLJ, page 53
- (ii) 1960,I,LLJ, page 349
- (iii) 1961,11,LLJ, page 436
- (iv) 1965,I.L.J. page 489
- (v) 1968, II, LLJ, page 723

- Between Sri Kripa Printing Press and Labour Court and another.
- Between Murugan Transport and its workers and another.
- Between Bombay Union of Journa-lists and others and the 'Hindu' Bombay and another.
  - Between P. M. Murugappa Mudaliar Muniswomi, partner) and Raju Mudaliar (P) and others.
  - Between Tirupathi Cotton Mills Ltd. and Labour Court, Guntur and another.
- 16. In view of the rulings referred to above and having regard to the provisions of Section 2 (k) of the Industrial Disputes Act, 1947, there can be no loubt that an individual dispute is not an 'industrial dispute' and that a reference is respect of such dispute is not tenable.
- 17. It is, however, well settled that a dispute between individual workman and the management can become an industrial dispute when the dispute is spon-tored by his union or as number of workers.
- 18. In the present case, the validity of the reference relating to single workman is challenged on the ground that what is referred is only an individual dismale and not an 'industrial dispute'. Hence it is for the workman Shri Kumaran
  behow that his cause has been sponsored by his Union or by a number of
  morkman of his class.
- 19. Shri Kumaran's contention is that his dispute has been sponsored by abstantial number of workmen working in the Trichur Branch of the Bank. Is support of this contention he relies on his evidence Ex. 24/W, the evidence of the Branch Secretary of the Union Ex. 23/W, evidence of and the resolution when of the workman Ex. 6\$W dated 14th May, 1969.
- 20. In the first place it appears from the evidence of Shri K. K. Ramakrishnan, is 23/W that at the relevant time, there were 8 employees in the Bank at Trichur much. Out of them 7 were members of the Union. He was appointed as Branch

- 21. Shri V. Sadanand Pai, Ex. 25/E is the Accountant in the Trichur Bhanch of the Bank, since 1960. For sometime he was working as Agent. His evidence shows that there are 85 branches of the Bank all over India and that there are about 900 employees in all the branches of the Bank. According to him in Trichur Branch, there were two officers and eight workers.
- 22. The learned Advocate for the Bank contends that only few employees from Trichur branch of the Bank have sponsored the cause of Shri Kumaran and that it cannot be said that substantial number of workmen out of the total number of employees numbering 900 employed by the bank and sponsored the cause. I am unable to accept this contention.
- 23. For finding out whether substantial number of workmen had sponsored the cause of Shri Kumaran or not one has to take only the number of employees working in Trichur Branch of the Bank, where Shri Kuraman was working, into consideration. It is only these employees working in Trichur Branch of the Bank who can be said to be directly and substantially interested in the dispute.
- 24. The learned advocate for the Bank contends that the workman has to show that the resolution Ex. 6/W was made on 14-5-1969 i.e. before the Government machinery was moved by a letter dated 16-10-1969 (Ex. 9/W) and by subsequent letter (Ex. 10/W) and that the workman in the present case has falled to prove this. because he has not examined the signatories to Ex. 6 W, though they are in the employment of the Bank at Trichur Branch even today.
- 25. It is not necessary to examine the signatories to Ex. 6/W to prove it. Shri Ramakrishnan Branch Secretary, Ex. 23/W has proved their signatures. His evidence prove beyond any shadow of doubt the Ex. 6/W was given to him on 14-5-1969. There is no reason to doubt the genuineness of the resolution Ex. 6/W.
- 26. From the evidence of Shri Ramakrishnan, Ex. 23/W, and resolution Ex. 6/W, I am satisfied that Shri Kumaran's cause was sponsored by a substantial number of workmen of the Bank, working in Trichur Branch of the Bank. Hence the present individual dispute has acquired the character of the industrial dispute.
- 27. On the admission of Shri Ramakrishnan, Ex. 23/W, it is clear that the Union at Trichur Branch is not registered. It is contended that as the Union is not registered, this reference is bad in law. This contention cannot be accepted.
- 28. It has been held in the case of Newspapers Limited, Allahabad and State Industrial Tribunal. Uttar Pradesh and others, reported in 1960 II, LLJ, Pase 37, by their Lordships of the Supreme Court that 'it is not necessary that registered body should sponsor a workman's case to make it an industrial dispute. Once it is shown that body of workmen, either acting through their union or otherwise, had sponsored a workman's case it becomes an industrial dispute'.
- 29. In the present case, the evidence of Shri Ramakrishnan, Ex. 23/W, who has impressed me as a witness of truth and whom I believe clearly proves that the present dispute was sponsored by a substantial number of workmen working at Trichur-Branch of the Bank, through him. All of them are the members of the Union. I therefore hold that the present reference is not bad in law simply because the Union is not registered.
- 30. The learned Advocate for the Bank contends that in as much as the grievances of Shri Kumaran is regarding non-implementation of the Award or settlement it cannot fall under the definition of industrial dispute and the reference is bad in law. In support of this contention he relise on 1963 II LLJ, page 153 in the case between Graham Trading Company (India) Ltd. and second Industrial Tribunal, West Bengal and others (in the High Court of Judicature at Calcutta).

"(1) Non implementation of an award does not fall within the defintion of industrial disputes. The Industrial Disputes Act contains a provision for penalty for branch of settlement or award and also a provision for recovery of money due from an employer under a settlement or award. Therefore, if the petitioner-company was guilty of non-implementation of the award made by the Labour Appellate Tribunal as affirmed by the Supreme Court the petitioner-company should have been proceeded against either under S. 29 or S. 33C(1) of the Industrial Disputes Act, but the matter should not have been referred to an industrial tribunal for adjudication."

32. From the pleadings on record it cannot be said that the Bank admits the position that certain settlements and Awards apply to Shri Kumaran and that no is entitled to the benefits claimed on the basis of Awards and Settlements. The Bank's defence is that as Shri Kumaran was a care taker of the Trichur Branch office and not watchman, he is not entitled to any benefits. As Shri Kumaran's right to benefits claimed in the reference is challenged, his benefits could not have been computed in terms of money under Section 33C(2) of the Industrial Disputes Act, 1947. The only remedy of Shri Kumaran in such circumstances was to raise an industrial dispute.

33. In the case reported in 1969, II, LLJ, page 728, between the Uttar Pradesh Electric Supply Company Ltd., and Shukla (R.K.) and another, their Lordships of Supreme Court have hold as follows:—

of the establishment fall within the exclusive competence of the industrial tribunal by virtue of S.4B read with item 10 of Sch. II to the Uttar Pradesh Industrial Disputes Act and not within the competence of the labour court constituted under S.4A of the Act. The dispute clearly raised the question whether there was retrenchment of workmen which would give rise to liability to pay compensation. Such dispute was exclusively within the competence of the industrial tribunal by virtue of item 10 of Sch. II to the Uttar Pradesh Industrial Disputes Act and is not within the competence of the Labour court. The judgment of the Supreme Court in East India Coal Company Ltd. (By Chief Mining Engineer) Bararee Colliery, Dhanbad v. Rameshwar and others (1968-I LLJ 6) clearly indicates that in order that a claim may be adjudicated upon under S.33C(2) there must be an existing right and the right must arise under an award, settlement or under the provisions of Chap. VA or it must be a benefit provided by a statute or a scheme made thereunder and there must be nothing contrary under statute or S.33C(2). But the possibility of a mere claim arising under Chap V-A is not envisaged in the said decision as conferring jurisdiction upon the labour court to decide matters which are essentially within the jurisdiction of the industrial tribunal. The legislative intention disclosed by S. 33C(1) and 33C(2) is fairly clear. Under S.33C(1), where any money is due to a workman from an employer under a settlement or award or under the provisions of Chap-V-A, the workman himself or any other persons authorised by him in writing in that behalf may make an application to the appropriate Government to recover the money due to him. Where the workman who is entitled to receive from the employer any money or benefit which is capable of being computed in terms of money applies in that behalf the labour court may under S.33C(2) decide the question arising as to the amount of the money due or as to the amount at which such benefit shall be computed.

Where however the right to retrenchment compensation which is the foundation of the claim is itself the matter which is exclusively within the competence of the industrial tribunal to be adjudicated upon on a reference, it would be straining the language of S.33C(2) to hold the question whether there has been retrenchment may be decided by

The power of the labour court is to compute the the labour court. The power of the labour court is to compute the compensation claimed to be payable to the workman on the footing that there has been retrenchment of the workman. Where retrenchment is conceded and the only matter in dispute is that by virtue of of S.25FF no liability to pay any compensation has arisen, the labour court will be competent to decide the question. In such a case the question is one of computation and not of determination of the conditions precedent to the accrual of hability. Where however the dispute is whether workmen have been retrenched and computation of the amount is subsidiary or incidental the labour court will have no authority to trespass upon the powers of the tribunal with which it is statutorily invested." the labour court.

- 34. Relying on this principle I hold that the present reference is not bad in law
- 35. The learned advocate for the Bank contends that the workman has raised the present dispute after 11 years, that there is no reasonable explanation for delay and that on account of this, this reference be not encouraged. In support of this contention he relies on 1964, I, LLJ, page 622 in the case between Vazir Sultan Tobacco Company Ltd., Hyderabad and State of Andhra Pradesh and others (In the High Court of Judicature, Andhra Pradesh).
  - 36. This ruling lays down as follows:-
    - "A workman was dismissed in October, 1957. he dispute in regard to his dismissal was taken up by 104 co-workmen out of 2,170 workmen in the establishment. It was espoused by a union of which workmen in other similar establishments were members. After a delay of 4-1/2 years the dispute in regard to the dismissal of the employee was referred for adjudication.
    - Allowing the writ of prohibition preferred by the employer-company and directing the labour court not to proceed with the reference, held:
    - The inordinate delay in making the reference was both unreasonable and
- 37. It is true that inordinate delay in making reference is unreasonable and unjustified but each case has to be considered on its own facts and circumstances.
- 38. In the present case, Shri Kumaran joined the service on 1st April. 1958. He made the demand on 25th July, 1969. It means that the dispute was raised after 11 years.
- 39. Admittedly, Shri Kumaran was working as Watchman. He was not knowing to what right he was entitled. No Union was functioning at Trichur Branch of the Bank. The Union came into existence only in 1968. The employees working at Trichur Branch were not organised. The Branch Secretary of the Union is a peon. He was not also aware of all rights to which a watchman was entitled. In view of these peculiar facts and circumstances of the case. I do not think that this reference should be thrown away on the ground of latches and delay. There is no bar of limitation for raising an industrial dispute. In my opinion this is a fit case which should be considered, even though the demand has been made after 11 years. I, therefore, negative the contention of the Bank in this respect.
- 40. The learned advocate for the Bank contends that written statement of the Union, dated 16th June, 1970 is signed by the Branch Secretary of the Union without authority and that the same be rejected. There is no substance in this contention
- 41. In the present case some workmen working in Trichur Branch of the Union all. In the present case some working in Trichur Branch of the Union approached the Branch Secretary Shri Ramakrishnan and requested him to take up the sause of Shri Kumaran by giving complaint Ex. 6/W on 14th May. 1969. By giving this complaint and making a request to Shri Ramakrishnan to raise a dispute on behalf of Shri Ramakrishnan Kumaran, they have authorised him to take all steps in this litigation including signing written statement etc. on behalf of the employees working in the Branch office of the Bank. As he was authorised to raise the dispute, I am unable to accept the contention of the Rank that Shri Ramakrishnan had no authority to sign the written statement. Hence the written statement Ex. 1/W cannot be rejected.
- 42. In view of the above findings on technical objection raised by the Bani I held that this reference is tenable, and that this Tribunal has jurisdiction tentertain the reference as the dispute referred to this Tribunal is an industria

oute within the meaning of Sec. 2(k) of the Industrial Disputes Act, 1947. or my finding on Point No. (i) is in the affirmative.

All Ab regards benefits claimed by Shri Kumaran, the Bank in its written stateof Ex. 2/W contends that as Shri Kumaran was appointed as care-taker at Tri
r Branch with effect from 3rd April, 1158 and as he has never been treated
watchman covered by the Awards and Settlements, he is no entitled to any
the benefits and amenities which are available to the Watchmen under the
Awards and Bipartite Settlements.

Even during the conciliation proceedings the Bank had taken the stand as Shri Kumaran did not belong to the Watch and Ward staff and that he merely a caretaker who was sleeping on the premises of the Bank during time and as such he was not entitled to any of the benefits to which the pers of the watch and ward staff of the Bank are entitled.

s On the admission given by the Bank in its written statment Ex. 2/E, it is all clear that (i) weekly holidays and festival holidays are given to the loves of the Bank and that (2) free supply of uniforms and shoes and wash-illowance are given to the watchmen of the Bank under the Bank Awards Bipartite settlements.

The Bank is denying the benefits claimed by Shri Kumaran to him on the of that he is not a watchman. If it is proved that he is a watchman, he automatically entitled to all benefits.

In view of the contention raised by the Bank in Fx. 2 E, regarding Shrf gan's designation and duties, it is necessary to find out whether Shri gan was a caretaker in the Trichur Branch of the Bank and whether he esignated as Night watchman through mistake.

The Bank has not produced the appointment order or letter under which Kumaran was appointed as caretaker in its Trichur Branch. It has not red any evidence to show that Shri Kumaran was wrongly designated as Watchman. On the other hand the Bank's witness Shri Pai, Ex. 25 E has sertain admissions in his evidence, which go against the Bank.

According to Shri Pai he is working as Account of in the Trichur Branch Bank, since May, 1960. For some time he was working as Agent. He that Shri Kumaran's designation was Night Watchman in Trichur Branch was there was revision of pay, Shri Kumaran's pay was revised on the hat he was a Night Watchman. He was paid bonus. There is no other can in Trichur Branch. Shri Pai, Ex. 25 E. also states that he does not interer there is a category of caretaker in the Bank, but here is no such in Trichur Branch. In view of these admissions, there cannot be any hat Shri Kumaran was not a caretaker in Trichur Branch as contended Bank in Ex. 2 E. In the absense of appointment order regarding Shri in Trichur Branch since April, 1958 and that he was wrongly describlight Watchman.

Kumaran, Ex. 24/W, states on oath that he joined the Bank in the sas Watchman. Shri Pai's evidence, Ex. 25/E also shows that Shri spay was revised on the basis that he was a Night Watchman and Kumaran's designation in Trichur Branch was Night Watchman. In sule of this reference Shri Kumaran has been described as a Night at There cannot be therefore any doubt that Shri Kumaran was application of the same of the same and the same was acceptable of the same and the same was acceptable of the same and the same was sometimed by the same as a Night Watchman and not as caretaker.

Bank contends in Ex. 2/E. para 4 that the duties of Shri Kumaran those of a watchman, but his duties were to take care of the bank premise of the main door of the Bank premises, that he was given the custody the keys of the main door of the Bank premises, that he used to come in the premises after the Bank hours and after the office staff of the left the office. In the morning Shri Kumaran used to leave the present than the opening time of the Bank. He was not required to the darge to any other watchman or officer of the Bank as would northeat the opinion of the Bank as would northeat the content of the Bank as would northeat the opinion of the Bank as would northeat the content of the Bank as would not the Bank as would not

- 52. Shri Pai, Ex. 25 E states on oath that Shri Kumaran was required to sleen on the Bank premises, from 10 P.M. to 6 P.M. on every working day. In his cross-examination he had to admit there is no specific order passed by the Tri chur Branch or the Head office to the effect that Shri Kumaran's duty was to sleep in the Bank premises on working days from 10 P.M. to 6 A.M. He further admits that he is speaking about Shri Kumaran's duty on the basis of information given by the Agent to him. It means that he has no personal knowledge about the duties of Shri Kumaran. The Agent has not come in the witness box to speak about the duties of Shri Kumaran. Hence no weight can be at tached to Shri Pai's evidence when he speaks about the duties of Shri Kumaran
- 53, Sori Kumaran states on oath in his evidence, Ex. 24 W that his duty wa from 6 P.M. to 7 A.M. every day including holidays and Sundays for keeping waten and taking rounds. He also states that he used to take rounds inside the Bank premises and that he was required to keep awake for the whole night as his duty was that of a Night Watchman.
- 54. The evidence given by Shri Kumaran is natural and consistent. I see no reason to disbelieve him. I am satisfied from his evidence that his duty was to keep watch for the whole night and not to sleep in the premises. In my opinion the Bank's contention that Shri Kumaran's duty was to sleep in the premises at night from 10 P.M. to 6 A.M. and not to carry out the duties of Night Watchman is highly improbable, and un-natural. It cannot be accepted even for a moment. The expression Night Watchman clearly signifies that the duty of a Night Watchman is to keep watch for the whole night and not to sleep in the premises. I, therefore, negative the contention of the Bank in this respect. I am satisfied that Shri Kumaran was a Night Watchman and that he was performing the duties of a Watchman. forming the duties of a Watchman.
- 55. It is clear from the admission of Shri Pai, Ex. 25 E, that staff numbers are awarded to the employees in the Bank and that for subordinate staff 'M' number is allotted. Shri Kumaran had been allotted 'M' 226 number. Hence it can be said that he belonged to subordinate staff.
- 56. On Shri Pai's admission in his cross-examination, it is clear that after Sastri Award was made applicable to the Bank employees, peons were given (i) weekly holidays, (ii) Eight national Festival holidays in a calendar year, (iii) overtime allowance, (iv) free supply of uniforms and (v) washing allowance.
- 57. In the Banks, general classification of the staff consists of (i) officers, (ii) Clerks and (iii) Peons. Peons. Watchmen etc. would come in the same category. Naturally on the basis of Sastri Award, the (night) Watchman would be gory. Naturally on the basis of Sastri Award, entitled to all the benefits as mentioned above.
- 58. The Bank also admits in its written statement, Ex. 2|E, that these benefits are given to its employee via. Watchman etc., under the Bank Award and settlements. Hence Shri Kumaran who was doing the duties of Night Watchman would also be entitled to all those benefits.
- 59. During the course of hearing, the Bank's witness Shri Pai, Ex. 25 E, say in his evidence that Shri Kumaran was required to sleep in the Bank premise from 10 P.M. to 6 A.M., on every working day. What he wants to say is that Shri Kumaran has been given all holidays, including national and festival holidays and that he was never required to work on holidays and overtime. This stand is inconsistent with the defence of the Bank in its written statement Ex. 2 E page 2 to the effect that Shri Kumaran is not entitled to any weekly holidays of stand is inconsistent with the defence of the Bank in its written statement Ex. 25 para 8, to the effect that Shri Kumaran is not entitled to any weekly holidays of festival holidays as are given to the employees of the Bank. It, therefore appears to me that the Bank's attempt to show that Shri Kumaran used to slee in the Bank premises from 10 P.M. to 6 A.M. on every working day only, is a after-thought. It cannot be accepted even for a moment. The defence take by the Bank that Shri Kumaran is not entitled to holidays or festival holiday shows that Shri Kumaran must not have been allowed holidays and that is must have been required to work as all holidays also.
- 60. The Bank contends in its written statement Ex. 2/E para 5 that Shri Kum ran was not signing attendance register in the presence of any of the officers the Bank and that as the musters are kept in the premises of the Bank. She Kumaran has signed the masters on all the columns shown in the attendant muster against his name and even on non-existing days. Sundays and holiday

61. The Bank has produced original musters for the years from January 1958 to March 1964. On the basis of the entries in these registers, the learned advocate for the Bank has pointed out that (i) Shri Kumaran has not marked attendance on holidays in the

Year	Month								Dates		
1958	May . August								allen)	1, 11, 18, 25	
1959	January February June September	A January Salatan Salatan			(100) (100) (100) (100)					1 22 21 16	
1960	Tanuary October			971					4	1, 3, 10, 15, 17, 26	
1961	August October	120			ALLES AND			1000	VI.	20 17	
1962	January March April May				THE REAL PROPERTY.		Son a			26 4,18 15,21	
1963	February December				WILLIAM STATE		10 TO		124/65 5. 900 1. 100	26 29	

# and that (2) Shri Kumaran has marked attendance on non-existing dates

Year	Year Month		or the law of the law						Dates		
1958	November . April . Iune .				100				31 31		
	September .								31		
1959	February April June Spetember November								29,30,31 31 31 31 31		
1960	February April . Iune . September . November .		intraction of the control of the con						30,31 31 31 31 31		
1961	February April June September November	e Alia							29,30,31 31 31 31 31		
1962	February April , June September November								29,30, 31 31 31 31 31		
1963	February April September November			Tuesday.					29, 30, 31 31 31 31		
1964	February		also.		+		76.20		30, 31		

The expression non-existing dates used by the learned advocate for the Bank means this. The month June in every year has got only 30 days, but in the muster roll Shri Kumaran has marked attendance in respect of this month in the years 1958, 1959, 1960 and 1961 on 31st also i.e. a non-existing date.

<sup>62.</sup> From these entries, the Bank wants to attribute sinister motive to Shri Kumaran, but in my opinion such motive cannot be attributed to him. A perusal of the muster rolls on record shows that every page in the register for each month contains 31 columns. As the muster roll used to remain on the counter, Shri

Kumaran in ordinary course, used to put his signature in each column every day without understanding to what particular date that column relates. It seems that through mistake and ignorance of English language, he must have put signatures in columns of non-existing dates in the months concerned. He was putting signatures in the muster roll in Malayalam. This shows that he was not knowing English. The columns in the register bear titles in English and not in Malayalam. This explains as to why there were signatures of Shri Kumaran in the columns of non-existing dates in the months concerned.

- 63. The learned advocate for the Bank contends that some signatures of Shri tumaran in the muster roll are in different ink and that they must have been put later on, to support the case. The Bank says in its written statement Ex. 2/E that Shri Kumaran has signed the sttendance register every day from 1st April, 1958 onwards as can be seen from the attendance register. Shri Kumaran states on oath in his evidence Ex. 24/W that he used to sign the muster roll before reusming duty and that the muster roll used to remain at the counter at night also. In view of this I do not think that any malafide intention can be attributed to Shri Kumaran, simply because some of his signatures in muster roll are in different
- 64. It appears that Shri Kumaran has not marked attendance on holidays in the years, 1958 to 1963 as mentioned in para 61 of this judgment. The learned Advocate for the Bank contends that Shri Kumaran was not working on holidays and that the Bank's defence that he was working only on working days be accepted. This contention cannot be accepted.
- 65. It may be that Shri Kumaran might have remained absent from duty on these holidays and that on account of this he did not put any signatures. His evidence closely shows that he used to put his signature before resuming duty. It cannot be informed from the above that he has not put signature in the muster roll in respect of the above mentioned holidays, because he was not attending office on holidays. There are other entries regarding holidays which show that he had attended duty on holidays also.
- 66. The Bank has not produced the muster roll for the subsequent years. It cannot be therefore said as to what the position in respect of these muster rolls is.
- 67. The Bank has not specifically mentioned as to what the working hours of Shri Kumaran were. It simply denies in its written statement Ex. 2/E para 9 that Shri Kumaran used to attend duty from 6 p.m. to 7 a.m. and that he was on duty for 13 hours every day. Considering the facts and circumstances of this case and having regard to the nature of duty of Shri Kumaran, I am convinced from the evidence of Shri Kumaran. Ex. 24 W that his duty hours were from 6 p.m. to 7 a.m. every day and that there is no substance in the defence of the Benk regarding his duty hours. Hence my finding on Point No. (ii) is as above,

Point No. (iii):

- 68. The next point for consideration is from what date Shri Kumaran is entitled to the benefits in questions.
- 69. The learned advocate for the Bank contends that if any relief is to be given to the workman, is should be from the date of award and that in this case granting relief from the date of award would be futile as the workman has retired since January, 1971. He, therefore, says that no relief is to be given on any account.
- 70. In the present reference, the Tribunal has been called upon to find out the date from which relief is to be given to the workman, if he is entitled to any relief. Hence the Bank's contention that the workman is not entitled to any relief prior to the date of award cannot be accepted.
- 71. (i) In 1965. ILLJ, page 382, in the case between Howrah Municipality and Second Industrial Tribunal, West Bengal, their Lordships of the Calcutta High Court have held as follows:-
  - "Under S.17A(4) of the Industrial Disputes Act, 1947 it is no doubt within
    the competence of the industrial tribunal to name the date which an
    award should come into operation and that date might be one prior to
    the date of reference itself. But nevertheless, it is a well accepted
    principle of industrial adjudication that over-stale claims should not
    generally be encouraged or allowed unless there was satisfactory explanation for the delay.

The demand in this respect should be the demand made by the labour union on behalf of the industry and not an individual demand.

Where the demand for arrears of increment was for the first time made collectively in August, 1957, the industrial tribunal could not direct the benefit of such arrears for the period prior to August, 1957 as it would amount to entertainments of a stale claim."

(ii) In 1961. II, LLJ, page 75, in the case between United Collieries Ltd, and itsrkmen, their Lordships of the Supreme Court have laid down as follows:—

"In the instant case the demand for implementation of the terms of the notification issued by the erstwhile Korea State Government was raised in February 1949 and was also made subject matter of conciliation proceedings between the parties. The reference for increased wages under C1(2) of the said notification was referred for adjudication in 1958. Such demand was formally made in writing much later. The demand for increased wages was found justified on merits by the industrial tribunal. Regarding the date from which the benefit of the increased wages was to be given, it was held that in the circumstances of the case the concerned workman should be held entitled to the increase in some cases with effect from 1 November 1947 and in some other cases with effect from 1 March 1949 when the demand for implementation of the notification was raised."

(iii) In 1961. II, LLJ, page 89, in the case between Inder Singh and Sons Ltd. dheir workmen, their Lord hip of Supreme Court have laid down as follows:—

"The notification on which the workmen based their claims in the instant case was made by the erstwhile Korea State Government on 15th November, 1947. One of the clauses therein provided for retrospective operation of the order from 1st November, 1947.

The demand for extra wages for load under Clause (5) of the notification was not made prior to 10 October, 1954 and for extra wages for boring ho'es before February 1953. The Industrial Pribunal having found the claims justified directed retrospective benefit of the extra wages in one case from 1 January, 1952 and in the other case from October, 1950.

The correctness of the said award was challenged in the instant appeal by special leave inter alia on grounds.

 that the notication of the Korea State Government had no statutory force being only in the nature of an award binding on the parties in dispute;

(2) that in any case statute operated only against the employers who were engaged in coal mining at the time of the notification and not against the employers who started coal mining long after the said date, and

(3) that in any event no relief should be given before the date of demand.

Negativing the first two contentions held that the notification was issued in the exercise of the legislative powers of the State. Further that law was made out for regulating the wages of the persons angaged in the coal mining industry on that date only but was intended to be a law for all time to come until abrogated or modified by later valid legislation.

Regarding the third contention held that it is true that laws of limitation which might bar any civil court for giving remedy in respect of lawful rights are not and should not be applied by the industrial tribunal. On the other hand, it is a well accepted principle of industrial adjudication that over-stale claims should not generally be encouraged or allowed, unless there is a satisfactory explanation for the delay. Apart from the obvious risk to industrial peace from the entertuinment of claims after a long lapse of time, it is necessary as to take into account the unsettling effect this is likely to have on the employer's financial arrangements. Whether a claim has become too stale or not will depend on the circumstances of each case. While there is no absolute proposition of law that in no case relief could be granted for a period prior to the demand, the industrial tribunal ought to pay particular attention to the date on which the demand was first made.

Taking into account the date of demand in the instant case alongwith the other circumstances, it was held fair to grant the reliefs with effect from January, 1953."

- 72. It is clear from the ruling reported in 1965, I.L.J., page 382, referred to above that it is within the competence of the Industrial Tribunal to name date from which the Award should come into operation and that this date could be prior to the date of reference itself. Hence I am of the view that retrospective effect can be directed to be given to the Award by the Tribunal.
- 73. The next point for consideration is whether relief can be given to Shri Kumaran from the date prior to the date of his demand on the Bank or from the date of demand made on the bank. While considering this question, the principle laid down in 1961, I.I.L.J., page 89, referred to above, has to be taken into consideration. This ruling clearly lays down that there is no absolute proposition of law that in no case relief could be granted for a period prior to the demand and that the industrial Tribunal ought to pay particular attention to the date on which the demand was first made.
- 74. In the present case evidence on record clearly shows that the employee working in Trichur Branch were not organised and that the Union case into existence only in November, 1967. Shri Kumaran and the Branch Secretary Shri Ramakrishnan were not sure about the rights to which Shri Kumaran was entitled. This explains as to why no demands ragarding benefits to which Shri Kumaran was entitled were made earlier
- The three employees raised a dispute on behalf of Shri Kumaran by 75. The three employees raised a dispute on behalf of Shri Kumaran by Ex. 6/W on 14th May, 1969. Actual demand was made on the bank on 6th August 1969, Ex. 8/W. If relief is granted to Shri Kumaran with effect from the date of his service i.e. 1st April, 1958 i.e. from the date prior to the date of his demand, it will have no unsettling effect on the bank's financial arrangements. The Bank has denied benefits only to Shri Kumaran though it is giving the same benefits to other watchman. The amount to which the employee would be entitled would not be so much as to affect the financial arrangements of the bank adversely. In the proposition having regard to the facts and circumstance. bank adversely. In my opinion having regard to the facts and circumstances of this case relief in respect of benefits regarding weely holidays, 8 national/festival holidays in a calendar year and overtime wages for extra hours of work should be given with effect from the date on which he joined service.
- 76. As regards washing allowance Shri Kumaran was getting the same. He received the same till the end of February, 1962. Hence he will be entitled to get washing allowance with effect from 1st March, 1962. I also allow uniforms with effect from the same date.
- 77. As regards, shoes, he is entitled to get them from the year 1969 as mentioned in Ex. 8/W. Hence my finding on Point No. (iii) is as above.

  Point No. (iv).
  - 78. The next point is to what relief Shri Kumaran is entitled.
- 79. As the various benefits referred to above, to which Shri Kumaran is entitle ed can be computed in terms of money and as there is no material before me for computing the same in terms of money Shri Kumaran will have to approach the Labour Court concerned under Section 33C(2) of the Industrial Disputes Act 1947 for getting these benefits computed in terms of money. Hence my fit din on this point is as above.

Point No. (v).

80. In view of the above findings I pass the following order:-

#### ORDER

- (i) It is hereby declared that the management of Canara Banking Corporation Limited, Mangalore is not justified in not extending the bent fits of (i) Weekly holiday, (ii) Eight National/Festival Holidays I a calendar year, (iii) Overtime allowance, (iv) Free supply of un forms and shoes and (v) Washing allowance, to Shri Kumarat Night Watchman in its Trichur Branch,
- (ii) It is hereby declared that Shri Kumaran is entitled to the benefits weekly holiday, eight national/festival holidays in a calendar year and overtime allowance with effect from the date of his joining the service as Night Watchman in Trichur Branch.
- (iii) It is hereby declared that Shri Kumaran is entitled to benefits of st ting shoes with effect from the year 1969 and benefits of free supp of uniform and washing ellowance with effect from 1st March, 1962.

- (iv) Shri Kumaran is directed to get the benefits in question determined and computed in terms of money by making application to the Labour Court concerned under Section 33C(2) of the Industrial Disputes
- (v) Award is made accordingly.
- (vi) No order as to costs.

(Sd.) N. K. VANI,

Presiding Officer, Central Government Industrial Tribunal No. 2, Bombay-

[No. 23/17/70/LRIII.]

New Delhi, the 29th March 1971

S.O. 1543/FWA/Sec. 14/Mines/Air Transport Services.—In exercise of the powers conferred by sub-section (3) of section 14 read with section 24 of the payment of Wages Act, 1936 (4 of 1936), the Central Government hereby makes the following amendment in the Notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2112, dated the 29th May, 1970.

In the said notification "against item III, in Column 3, after the words 'the Union Territories of Manipur and Tripura' the words 'and Andaman and Nicobar Islands' shall be added."

[No. 19/1/69/Fac. I/LRIV(LRIII).]

# (श्र : ग्रीर रोजगार विभाग)

## नई दिल्ली. 29 मार्च. 1971

का० ग्रां० 1544/पी० ड स्यू० ए०/ग्रन्० 14/लान/हवाई परिवहन सेवाये.-बहुरी संदाय अधिनियम 1936 (1936 का 4) की धारा 24 के साथ पठित धारा 14 की शय (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये केन्द्रीय सरकार भारत सरकार के श्रम गंजगर और पुनर्वास मंत्रालय (अम और रोजगार विभाग) की अधिसूचना सं० का० आ० 2112 तरीब 29 मई 1970 में एतदद्वारा निम्नलिखित संशोधन करती है।

"उक्त ब्रधिसूचना में स्तम्भ 3 में मद 3 के सामने शब्द मिणपूर बीर विपूरा' बीर हर के 'सघ राज्य क्षेत्र' के वीच शब्द ग्रीर 'ग्रण्डमान ग्रीर नीकोबार द्वीप समृह' ग्रन्त:स्वापित किए जाएगा ।"

[स॰ फा॰ 19/1/69/कार॰ 1 एल घार 4/3]

# New Delhi, the 1st April 1971

8.0. 1544—Whereas the Central Government being satisfied that the public detest so required, had declared by a notification made in pursuance of the prisions of the proviso to sub-clause (vi) of clause (n) of section 2 of the distrial Disputes Act, 1947 (14 of 1947), (being the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation Examinent of Labour and Employment) No. S.O. 3618 dated the 19th October, (18), the service in the uranium industry, to be a public utility service for Dupose of the said Act for a period of six months from the 20th October, (18).

and whereas the Central Government is of opinion that public interest reat the extension of the said period by a further period of six months;

low, therefore, in exercise of the powers conferred by the proviso to sub-bas (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of the Central Government hereby declares the said Industry to be a public pervice for the purposes of the said Act for a further period of six months to the 20th April, 1971.

[No. F S. 11025/9/71-LR.L.]

# नई दिल्ली, 1 सप्रैल, 1971

कं/oप्राo 1544.—यतः केन्द्रीय सरकार ने, यह समाधान हो जाने पर कि लोकहित में ऐसा अपेक्षित या, ब्रोबोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ढ) के उप अण्ड (४) के परन्तुक के उप अन्धों के अनु तरण में एक अधिसूचना (भारत सरकार के अस, रोजगार और पुनर्वास मंत्रालय (अन और रोजगार विभाग) को अधिसूचना सं० का० 3618 तारीख 19 धन (वर, 1970) द्वारा युरोनियम उद्योग में सेवा ो उन्त अधिनियम के प्रयोजनों के लिए 20 अन्वार, 1970 से छ: मास की कालाविध के लिए तो ह उपयोगी सेवा घोषित किया था:

ग्रीर यतः केन्द्रीय रिकार की राय कि लोकहित में उक्त कालावधि को छः मास की ग्रीर कालावधि के लिए बडाया जाना अपेक्षित हैं।

अतः अब भौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) ी धारा 2 के बण्ड (ढ) के उपखण्ड (4) के परन्क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा उक्त उद्योग को उन्त अदिनियम के प्रयोजनों के लिए 20 अप्रैल, 1971 को छः मासकी और कालाविद्य के लिए लोकउपयोगी थेवा घोषित करती है।

सिं का एम 11025/9/71-एल बार ।

#### ORDERS

## New Delhi, the 22nd February 1971

S.O. 1545.—Whereas the Central Government is of opinion that an industrictispute exists between the employers in relation to the Punjab National Bank at their workmen in respect of the matters specified in the Schedule hereto annexed

And whereas the Central Government considers it desirable to refer the sal dispute for adjudication.

Now therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Delhi constituted under section 7A of the said Act.

## SCHEDULE

"Whether the demand of the Punjab National Bank Workers Organisation that the date of birth of Shri R. L. Kapoor should be changed from the 20th September, 1915 to 11th May, 1918 is justified? If not, what should be the date of birth?"

[No. 23/61/70/LRILL]

### बावेश

## नई दिल्ली, 22 फन्बरी, 1971

का० ग्रा० 1545—ातः केन्द्रीय सरकार की राय है कि इससे उपावद्ध अन सूचीमें विनिष्टि विषयों के बारे में प्रशाय नेशनल वैंक से सम्बद्ध नियोजकों ग्रार उनके कर्मकारों के बीच एक श्रीद्योगिक विवाद विद्यमान है ;

धीर यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय सम्प्रती है:

धतः, प्रव, प्रौद्योगिक विवाद घिधिनियम, 1947 (1947 का 14) की धारा 10 की ठा-धारा (i) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त जिल्लाद को उक्त प्रधिनियम की धारा 7-क के धधीन गठित केन्द्रीय सरकार धौद्योगिक प्रधिकरण दिल्ली की न्यायनिर्णयन के लिए निर्दाशत करती है।

# ग्रनसूची

"क्या पंजाब नेशनल बैंक वर्कसं आर्गेनाइजेशन की यह मांग कि श्री आर० एल० कपूर की जन्म की तारीख 20 सितम्बर, 1915 से परिवर्तित करके 11 मई, 1918 करदी जानी बाहिए, न्यायोचित है ? यदि नहीं तो जन्म की तारीख क्या होनी चाहिए ?

सिं 23/61/70/एल आर 3]

### New Delhi, the 16th March 1971

S.O. 1546.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bank of Baroda and their workmen in respect of the matter specified in the Schedule hereto annxed.

And, whreas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial "-ibunal of which Thiru K. Seetharama Rao shall be the Presiding Officer, with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

#### SCHEDULE

"Whether the management of Bank of Baroda at Madras should follow branchwise or city-wise seniority for purposes of payment of special allowance to:

(1) Head Peon.

(2) Hundi Presentor/Bill Collector.

(3) Duftry, and (4) Cash Peons."

[No. 23/133/70/LRIII.]

# नई दिल्ली, 16 मार्च, 1971

कां अ । 15.6.--यतः केन्द्रीय सरकार की राय है कि इससे उपावद्ध अनसुची में विनिद्धित विषयों के बारे में बैक ग्राफ बड़ीदा से सम्बद्ध नियोजकों ग्रीर उनके कर्मकारों के बीच एक श्रीद्योगिक विवाद विद्यमान है :

ग्रीर यतः केन्द्रीय सरकार उक्त विवाद के न्यायनिर्णयन के लिए निर्देशित करना बांछनीय समझती है

मत: मब, भोद्योगिक विवाद मधिनियम, 1947 (1947 का 14) की धारा 7-क पीर धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त जनितयों का प्रयोग करते हुए, केन्द्रीय सरकार एतदहारा एक घोद्योगिक अधिकरण गठित करती है, जिसके पीठासीन अधिकारी थी थिस के • सीधाराम राव होंगे जिनका मध्यालय मदास होगा धौर उक्त विवाद को उक्त पौद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

# धन सुची

निम्नलिखित को विज्ञेष भत्ता देने के प्रयोजनों से मदास स्थित बैंक बाफ बड़ौदा को ज्येष्ठ भ प्रनुसरण शास्त्रानसार करना चाहिए या नगरानसार:

- (1) प्रधान चपरासी
- (2) हण्डी प्रेजेन्टर, बिल संग्राहक
- (3) दपतरी, ग्रीर
- (4) नकदी चपरासी

S.O. 1547.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Canara Banking Corporation Limited and their workmen in respect of the matter specified in the Schedule hereto annexed.

And whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

#### SCHEDULE

"Whether the demand of Shri Ravi Kumar Mazumdar, Car Driver, Canara Banking Corporation Limited, Calcutta for absorption in the regular service of the Corporation is justified? If so, to what relief is he entitled?'

[No. L. 12012/8/71/LRIII.]

का० आ० 1547.—यतः केन्द्रीय सरकार की राय है कि इससे उपायद अन्सूची में विनिद्धित्व विषयों के बारे में कनारा बैंकिंग कॉरपोरेशन लिमिटेंड से सम्बन्ध नियोजकों और उनके क्रिकारों के बीच एक औद्योगित विवाद विद्यमान है:

भौर यतः केन्द्रीय श्रीसरकार उक्त विवाद को न्यायानणयन के लिए निर्देशित करना वांछनीय समझती है: प्रा

अतः, अव, श्रीद्यौगिक विवाद श्रिष्ठिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (i) के खिण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्-द्वारा उक्त विवाद को उक्त श्रिष्ठिनियम की धारा 7-क के श्रिष्ठीन गठित केन्द्रीय सरकार श्रीद्योगिक श्रिष्ठकरण-कलकत्ता को न्यायनिर्णयन के लिए निर्देशित करती है।

# ग्रनस्ची

"क्या श्री रिव कुमार मजुमदार, कार चालक, कनारा बैंकिंग कॉरपोरेशन लिमिटेड, कलकत्ता की कॉरपोरेशन की नियमित सेवा में भ्रामेलन की मांग न्यायोचित है? यदि हां, तो वह किस भन्तोष का हकदार है?"

[सं॰ एस॰ 12012/8/71-एस॰ घार III]

### New Delhi, the 27th March 1971

S.O. 1543.—Whereas the employers in relation to the Eagle Star Insurance Company Limited Bombay and their workmen represented by the General Insurance Employees Union, Bombay, have jointly applied to the Central Government for reference of an Industrial dispute that exists between them to an Industrial Tribunal in respect of the demands of the workmen set forth in the said application and reproduced in the Schedule hereto annexed;

And whereas the Central Government is satisfied that the said General Insurance Employees Union, Bombay represents the majority of the workmen;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal No. 2, Bombay constituted under section 7A of the said Act.

#### SCHEDULE

"Whereas Eagle Star Insurance Company Limited, was justified in refrenching Shri A. A. Anjilla, Driver, with effect from the 31st January, 1969, If not, to what relief is he entitled?

[No. L.17012/4/71-LR.I.]

# नई दिल्ली, 27 मार्च, 1971

कां आ। 1548.—यत: ईंगल स्टार इंशोरेंस कम्पनी लिमिटेड, मुम्बई से सम्बद्ध नियोजकों ग्रीर उनके कर्मकारों ने, जिनका प्रतिनिधित्व जनरल इंग्योरेंस एम्पलायीज युनियन, मुम्बई करती हैं, संयुक्त रूप से केन्द्रीय सरकार को ग्रावेदन दिया हैं कि वह उक्त ग्रावेदन में उपवर्णित ग्रीर इससे उपाय अनुसूची में उद्घृत कर्मकारों की मांगों के बारे में उनके बीच विद्यमान ग्रीद्योगिक विवाद किसी ग्रीद्योगिक ग्राविकरण को निर्देशित कर दे;

ग्रीर यतः केन्द्रीय सरकार का समाधान हो गया है कि उक्त जनरल इंश्योरेंस एम्पलायीज युनियन, सुम्बई कर्मकारों की बहुसंख्या का प्रतिनिधित्व करती है ;

अतः अव, श्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा उक्त विवाद उक्त अधिनियम की धारा 7—क के अधीन गठित श्रीद्योगिक अधिकरण सं० 2—मुम्बई को न्याय- निर्णयन के लिए निर्देशित करती हैं।

# धनु सूची

क्या ईंगल स्टार इंक्योरेंस कम्पनी लिमिटेड का श्री ए० ए० अंजिला, चालक, की 31 जनवरी, 1969 से छंटनी करना न्यायोजित था? यदि महीं, तो वह किस अनुतोध का हकदार हैं?

# [स॰ एल॰ 17012/4/71-एल॰ धार॰ 1]

8.0. 1549.—Whereas the Central Government is of opinion that an industrial ispute exists between the employers in relation to the Beas Sutlej Link Project and their workmen in respect of the matter specified in the Schedule hereto amexed:

And, whereas the Central Government considers it desirable to refer the said issute for adjudication.

Now, therefore, in exercise of the powers conferred by section 7A, and clause of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of M), the Central Government hereby constitutes an Industrial Tribunal of which if P. P. R. Sawhney shall be the Presiding Officer, with headquarters at Gandigarh and refers the said dispute for adjudication to the said Tribunal.

#### SCHEDULE

- (1) Revision of pay scales of work-charged employees,
- (2) Regularisation of the services of the work-charged employees.
- (3) Accident and retrenchment compensation to workmen drawing over Es. 500 per month.
- (4) Gratuity Scheme.

[No. 4/86/70/LRIII.]

S. S. SAHASRANAMAN, Under Secy.

का॰ भा॰ 1549.—यतः केन्द्रीय सरकार की राय है कि इससे उपावदा धनुसूची में भिन्द नियमों के बारे में ब्यास सतन्त्र लिंक प्रोजकट से सम्बद्ध नियोजकों और उनके कर्मकारों विक एक भौद्योगिक विवाद विद्यमान है ;

णेर यतः केन्द्रीय सरकार उनत विवाद को न्यायनिर्णयन के लिये निर्देशित करना वांछनीय की है;

ग्रतः ग्रव श्रौद्योगिक विवाद ग्रिधिनियम, 1947 (1947 का 14) की धारा 7-क भीर धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये केन्द्रीय सरकार एतदद्वारा एक श्रौद्योगिक ग्रिधिकरण गठित करती है जिसके पीठासीन ग्रिधिकारी श्री पी० पी०

# धनुसूची

आर० सहानी होंगे जिनका मुख्यालय चण्डीगढ़ होगा और उक्त विवाद उक्त श्रीद्योगिक अधिकरण

- (1) कार्य प्रभारित कर्मचारियों के बतनमान का पुनरीक्षण ।
- (2) कार्य प्रभारित कर्मचारियों की सेवाग्रों का नियमितीकरण ।
- (3) 500/-रु॰ से अधिक प्रति मास पाने वाल कर्मचारियों को दुर्घटना और छटनी प्रति-कर।
- (4) उपदान स्कीम ।

को न्यायनिर्णयन के लिये निर्देशित करती है।

[सं 4/86/70-एल आर III]

एस० एस० सहस्रनामन, ग्रवर सचिव।

## (Department of Labour and Employment)

New Delhi, the 29th March 1971

S.O. 1550.—In pursuance of section 17 of the Industrial Disputes Act. 1947 (14 of 1947), the Central Government hereby publishes the following award of Shri J. N. Das, Arbitrator, in the industrial dispute between the management of Pyrites Phosphates and Chemicals Limited, Post Office. Amjhore, District Shahabad (Bihar) and its workmen represented by Elected Representative of the workers of Pyrites, Phosphates and Chemicals Limited, Post Office Amjhore, District Shahabad (Bihar), which was received by the Central Government on the 25th March, 1971.

ARBITRATION AWARD UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT, 1947 GIVEN BY SHRI J. N. DAS. REGIONAL LABOUR COMMISSIONER (CENTRAL) DHANBAD & ARBITRATOR

### BEFORE

J. N. Das, Regional Labour Commissioner (C) Dhanbad & Arbitrator.

### PARTIES PRESENT

On behalf of the management:-

- (1) Shri T. N. Jaggi, Chief Mining Engineer,
- (2) Shri I. Kumar, Dy. Chief Mining Engineer,
- (3) Shri S. S. Gill, Mines Manager (Mines), of Pyrites, Phosphate and Chemicals Limited, Amjhore.

## On behalf of the workmen:-

- (1) Shri K. C. Das, President.
- (2) Shri J. Narayan, General Secretary.
- (3) Shri Md. Lukman, Vice-President.
- (4) Shri S. N. Pathak, Member.
- (5) Shri Ashok Acharya, Member.
- (6) Shri Ashok Kumar, Member.
- (7) Shri Shyam Murari Prasad, Member.

INDUSTRY: Non-Coal Mine

STATE: Bihar

## REFERENCE No. B-2/2(213)/70

### Dated, Dhanbad the 18th March 1971 Preliminary

By their agreement dated 14th December 1970 the management of M|s. Pyrites, phosphate & Chemicals Limited (a Central Govt.'s Undertaking) P.O. Amjhore, District Shahabad (Bihar) and the Khan Mazdoor Millat Sangh, P.O. Amjhore, District Shahabad (Bihar) referred the following specific dispute to my arbitration under section 10A of the Industrial Disputes Act, 1947, the same was published vide S.O. 281 dated 4th January 1971 in the Gazette of India Part-II, Section 3 Sub-Section (ii) issued on 16th January, 1971.

Specific matter in dispute: -

- "Whether the action of the management of Pyrites, Phosphates & Chemicals Limited, P.O. Amjhore, District Shahabad in laying off the daily rated workmen with effect from 4 p.m. of 14th November 1970 to 4 p.m. of 18th November 1970 as a result of strike by the monthly rated staff was justified If not, to what relief the affected workmen are entitled?"
- 2. A letter calling upon the parties to submit, in writing, the statement of their cases within 10 days was issued on 18th January 1971. In response to the above the maggement submitted their statement on 4th February 1971 and the Khan Mazdoor Millat Sangh submitted their statement on 1st February 1971. Therespon, the hearing was fixed for 25th February 1971 at Amjhore and the parties were given due notice accordingly. The parties, however, sought adjournment because they had to appear at Ranchi in another arbitration case on 26th February 1971. The adjournment was allowed and the parties were finally heard on 4th March 1971 at Amjhore. Meanwhile, the parties jointly extended the period of giving award till 31st March 1971 in a letter separately addressed to endorsing a moy of the same to the Secretary to the Govt. of India, Ministry of Labour, Employment and Rehabilitation (Deptt. of Labour & Employment) Shrama Shakti Shavan, New Delhi quoting his file No. 10/75/70-LR.IV.

### Hearing

3. During the hearing as well as in their written statements the parties have aken the following stands:—

Khan Mazdoor Millat Sangh's arguments:-

- (a) That, during the strike called by the P.P.C. Staff Association from 14th lovember 1970 to 18th November 1970 over the sospension of Shri Darwaka Prasad-lechanical Foreman, the management unjustifiably and without making any forts to provide alternative jobs laid off about 1500 daily rated workmen without ages taking shelter behind the provisions of Section 25E(iii) of the Industrial Isputes Act. 1947.
- (b) That, the fact that alternative jobs were in existence on 14th November 1870 is undeniable. This is proved by the fact that the management did offer alterlive jobs to all the 1500 daily rated workmen from the forenoon of 18th Novem1970 when the strike by the P.P.C. Staff Association was still in progress and
  19 mettlement was in sight.
- (c) That, in similar circumstances the management offered alternative jobs to the daily rated workmen during the period from 4 h January 1971 to 16th January 1971 when another strike was called by the same P.P.C. Staff Association.
- (d) That, there is the precedent that the management does not lay off the nonmers in the establishment. They either give them alternative jobs or allow an pay without work is established by the fact that during the 55 days strike and by the daily rated workmen in June-July 1970 all the 350 monthly rated were not at all laid off and were paid wages for the period without any work.
- (e) That, controverting the arguments of the management that during the 55 strike in June-July 1970 by the daily rated workmen the strikers did not even by the essential staff to work and as such the management had to fall back upon monthly rated staff for arranging the safety of the Mine from inundation and collapse, the Khan Mazdoor Millat Sangh argued that during the strike of PP.C. Staff Association from 14th November 1970 to 18th November 1970, the magement did not ask the Staff Association to release the essential monthly staff for maintenance and ensuring safety of the Mine.

- (f) That, during the 55 days strike in June-July, 1970 called by the daily rated workmen about 120 mining staff only were required to ensure the safety of the Mine. Therefore, the rest of 230 monthly rated staff were idling during that period and yet they were paid the wages.
- (g) That, the above show that the management's motive in laying off the daily rated workman from 1st Shift of 14th November 1970 to 1st Shift of 18th November 1970 was to bring pressure upon the daily rated workmen to prevail upon the P.P.C. Staff Association to call off the strike.
  - (h) That the management discriminated against the daily rated workmen.
- (i) That, that the management's action in declaring lay off from 1st Shift of 14th November 1970 to 1st Shift of 18th November 1970 of 1500 daily rated workmen is malafide, unjustified and discriminatory.

The Khan Mazdoor Millat Sangh, therefore, demanded that all the laid off daily rated workmen should be paid full wages for the period from 1st Shift of 14th November 1970 to the 1st shift of 18th November 1970.

- 4. M/s. Pyrites, Phosphate & Chemicals Limited's arguments:-
- (a) That, the management was neither willing nor had contemplated to declare lay off of daily rated workmen from the second shift of 14th November 1970. This was because the strike by the P.C.C. Staff Association from the 1st Shift of 14th November 1970 was lightening and without notice. Since the Pyrites Mining Industries have been declared Public Utility Service under Section 2(n) of the Industrial Disputes Act the strike by the Staff Association was illegal and the management made various attempts on 14th November 1970 to impress upon the Association to call off the said illegal strike. Hoping that the sober thinking would dawn upon the Association and the strike would soon be called off the management did not lay off the daily rated workmen from 1st shift of 14th November 1970. Later on, the position was made clear by the Staff Association that they would continue the strike indefinitely until their previous demands were fulfilled. The management was, therefore, forced by the circumstances to declare lay off under section 25E(iii) of the Industrial Disputes Act and laid off all the daily rated workmen. This shows the bonafide of the ruanagement.
- (b) That, it was wrong to say that the alternative jobs were available on 14th November 1970. Again the suddenness of the strike by the Staff Association left no room for the management, in absence of the Managing Director who was away to Delhi, to think for or create alternative jobs.
- (c) That, the bonafide of the management is further proved from the fact that as and when the alternative jobs could be made available on the arrival of the Managing Director from Delhi the lay off of the daily rated workmen was lifted from the second shift of 18th November 1970 even though, the strikes of the Staff Association was not called off by them but all the same, the settlement was in sight.
- (d) That, the Managing Director returned from Delhi on 18th November, 1970 and informed of the additional take off of ore. Thereupon, the laid off persons were engaged on Ore benefication work. Such work was also available during the subsequent strike by the P.P.C. Staff Association from 4th January 1971 and the daily rated workmen were continued to be employed in such work even though their outturn was much below the minimum.
- (e) That, the additional reason for offering the atlernative job to the daily rated workmen from 4th January 1971 (during the strike by the Association) was that the management was fully prepared to face the strike because this time the P.P.C. Staff Association had given advance notice of strike.
- (f) That, the question as to why during the June-July, 1970 strike by the daily sted workmen, the monthy rated staff were paid arose because of the fact that the daily rated striking workmen did not even allow the essential staff to work in the Mines. Since this period was rainy season there was chance of mishaps, such as inundation and roof collapse. The management had allowed the Mining Staff to look after the safety of the Mines and as the management were pleased with the work of the monthly paid staff they paid the wages to the staff in form of reward.
- (g) That, in reply to the Sangh's question as to why 50 or odd staff were not asked to be released by the Association for looking into the safety of the Mines during the strike from 14th November 1970 to 18th November 1970, the management have stated that since the strike was started by the Supervisory Staff they

would not have listened to the managements request for releasing 50 essential mining staff. Therefore, there was no point in requesting the Association. Again, even if they had released a few Mining Staff the management could not have given work to all the affected daily rated workmen because these essential staff would have attended only to the safety work and would not have attended to the blasting work, etc.

- (h) That, with regard to the matter of laying off of the monthly rated staff who worked outside the Mine during June-July, 1970 strike it was clarified by the management that the daily rated workmen working outside the Mine had also not been laid during the period from 14th November 1970 to 18th November 1970. These monthly rate-staff, i.e. those working outside the Mine were mostly office staff where work was not dislocated by the June-July, 1970 strike of the daily rated workmen.
- (i) That, in view of the foregoing the management's action in laying off the 1500 daily rated workmen, who were required to work inside the Mines, from 2nd shift of 14th November, 1970 to the 1st shift of 18th November, 1970 under Section 25E(iii) of the Industrial Disputes Act, was legal and justified. The workmen, therefore, are not entitled to any relief.

### Decision

- 5. After examining the aforesaid arguments of the parties the following facts emerge:-
- (i) There was a spontaneous strike by the monthly rated staff at the instance of P.P.C. Staff Association, whose number is about 350, from 14th November 1970 to 18th November 1970 and this strike was without notice.
- (ii) The daily rated workmen who offered for duties at 8-00 a.m. on 14th November 1970 were allowed to work,
- (iii) That, the daily rated workmen numbering about 1500 and who were working inside the Mines were laid off without wages under Section 25E(iii) of the Industrial Disputes Act, 1947 from the second shift, i.e., from 4-00 p.m. of 14th November 1970.
- (iv) The lay off was lifted from the second shift of 18th November 1970 when the daily rated workmen were given alternative jobs.
- (v) The strike by the P.P.C. Staff Association was called off from the 1st shift of 19th November 1970.
- (vi) During the 55 days strike called by the daily rated workmen in June-July, 1970 no monthly paid staff was laid off.
- (vii) Again during the subsequent strike by the P.P.C. Staff Association from 4th January 1971 to 10th January 1971 no daily rated workmen was laid off.
- 6. It is, therefore, crystal clear that during the 55 days strike called by the daily rated workmen none of the monthly rated staff was laid off. Similarly, during the strike by the monthly rated staff from 4th January 1971 to 10th January 1971, no daily rated workmen was laid off. It was only during the strike from 14th November 1970 to 18th November 1970 called by the P.P.C. Staff Association that the daily rated workmen were laid off without wages and the lay off lasted from the second shift of 14th November 1970 to the 1st shift of 18th November, 1970. It is also a fact that the management offered alternative job to all the laid off daily rated workmen from the second shift of 18th November 1970 by withdrawing the 4 days, old lay off order even though the strike had ber 1970 by withdrawing the 4 days oid lay off order even though the strike had not been called of by the Association. It is to be remembered that the strike which started from 8-00 a.m. of 14th November 1970 came to be called off from 8-00 a.m. of 19th November 1970 when the Staff resumed the work.
- 7. It is, thus, evident that the management did not lay off the daily rated workmen when the monthly rated workmen were on strike from 4th January 1971 to 10th January 1871 and similarly the monthly rated workmen were not laid off during the 55 days strike in June-July, 1970 called by the daily rated workmen. The only departure from this practice is evident during the period from 14th November 1970 to 18th November 1970 when the monthly rated workmen were on strike and the daily rated workmen were laid off without wages. The arguments adduced by the ways grant is that the strike by the P.P.C. Staff men were on strike and the dally rated workmen were laid off without wages. The arguments adduced by the management is that the strike by the P.P.C. Staff Association in November, 1970 was spontaneous and that the management was hoping that this being illegal strike (being without notice and Pyrites Mining Industry being a Public Utility Service) would soon be called off. Again, as the Managing Director was away to Delhi the question of offering alternative jobs could not be decided. These arguments do not seen to be, forceful. The fact

that the lay off was lifted from the second shift of 18th November 1970 and the laid off workmen were given alternative jobs in benefication of Ores goes to show that this job was already available with the management. However, to cover i up the management have argued that the ore benefication work started after the up the management have argued that the ore benefication work started after the Managing Director had arrived from Delhi and given information of the off take of Ores. The indication is that it was the Managing Director who gave green signal to the Chief Mining Engineer to offer alternative job to the 1500 laid of daily rated workmen. This argument is not acceptable in view of the fact that the work was there even before 14th November 1970 and did not suddenly present itself on the arrival of the Managing Director. The nature of this work is the separation of Ores from Shales. The Ores were there on 14th November 1970 and so the Shales and if there was any difficulty in starting this work the Chief Mining Engineer could have surely contacted the Managing Director a Delni on telephone and obtained his permission, if necessary. This does not appear to have been done and all the 1500 daily rated workmen were laid of without wages. This was, perhaps the easiest thing the management could do. One can understand the lay off with wages, that is, with 50 per cent wages as provided under Section 25C of the Industrial Disputes Act, 1947, but the lay off without wages is just a type of pressure which the local management appears to without wages is just a type of pressure which the local management appears to have nit upon. It appears to me that there was a counter pressure from the laid off workmen on the management and the management gave in and offered them alternative job from the second shift of 18th November 1970 when the strike was still in progress.

- 8. It is undeniable fact that the management did not lay off 350 monthly ated workmen even for a single day with or without wages during the 55 days strike called by the daily rated workmen in June-July, 1970. Of the 350 monthly rated staff there are about 120 Mining Staff whose employment in the Mine during the strike period was, perhaps, necessary for ensuring the safety of the Mines. However, the rest of the 230 staff had little work and since majority of them were office staff could not have been offered alternative jobs. Again, in absence of any raising in the Mine the office staff could have almost required. absence of any raising in the Mine the office staff could have almost no work to do except those of routine nature and for such routine nature jobs not all the 230 staff were required.
- 9. In these circumstances, the conclusion is inescapable that the majority of the non-striking monthly rated staff were idling during the 55 days June-July, 1970 strike and got reward in shape of their payment of wages for no work. The argument of the management is that since they were pleased with the work of the staff during the June-July, 1970 strike they were paid their wages as a reward. But this does not help the management's case.
- 10. In view of the above analysis I cannot help concluding that the management's action in laying off 1500 daily rated workmen without wages from the second shift of 14th November 1970 to the first shift of 18th November 1970 is discrimination and, therefore, unjustified.
- 11. As I have already stated earlier, the alternative job which was offered to the daily rated workmen from the second shift of 18th November 1970 did not present itself suddenly on the arrival of the Managing Director but was actually in existence even before 14th November 1970. Therefore, the management would have srely given alternative job to the daily rated workmen on 14th November 1970 itself and continued it till the strike by the P.P.C. Staff Association came to be called off from the 1st shift of 19th November 1970. I have also stated that since the strike by the Stoff Association came that since the strike by the Staff Association was without notice and spontaneous and sudden, lay off to the daily rated workmen with wages is understandable. But the same without wages is not appreciated.
- 12. I, therefore, decide that the lay off declared by the management of M|s. Pyrites, Phosphates and Chemicals Limited, Amihore without wages from the second shift of 14th November 1970 in respect of 1500 daily rated workmen and continuing the same till the first shift of 18th November 1970 is unjustified.
- 13. I, further, decide that the aforesaid laid off workmen are entitled to be paid 50 per cent of their wages as provided under Section 25C of the Industrial Disputes Act.

This is the Award I give

(Sd.) J. N. DAS. Regional Labour Commissioner (C) Dhanbad & Arbitrator. [No. 10/75/70-LR-IV.]